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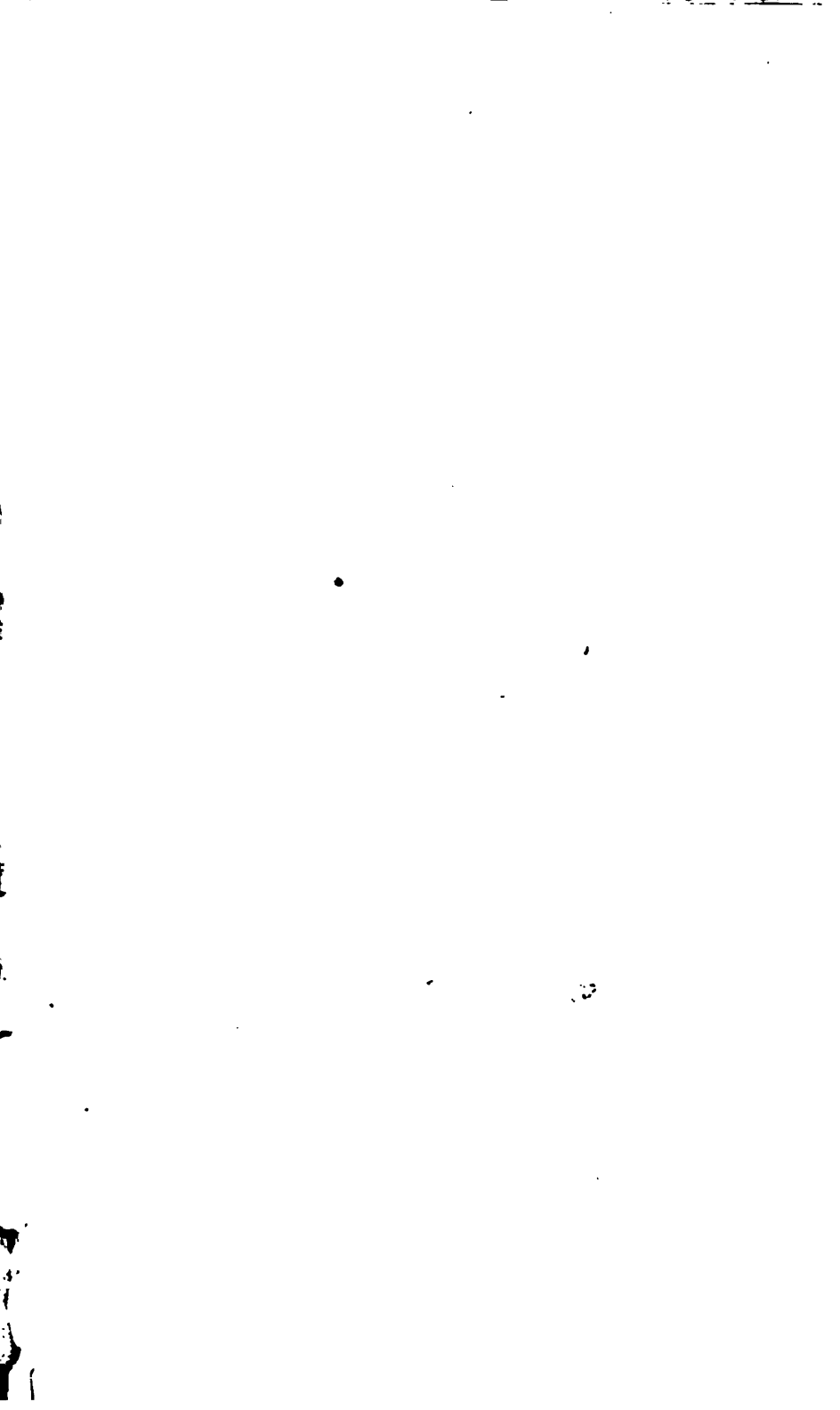
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THE
STATUTES AT LARGE,
FROM
MAGNA CARTA
TO
THE UNION OF THE KINGDOMS OF
GREAT BRITAIN AND IRELAND.

VOL. IV.

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THE
STATUTES AT LARGE,

OF
ENGLAND

AND OF
GREAT-BRITAIN:

FROM MAGNA CARTA
TO THE UNION OF THE KINGDOMS OF
GREAT BRITAIN AND IRELAND.

In Twenty Volumes.

VOL. IV.

From 1 MARY, A.D. 1553.—To 16 CHARLES I. A.D. 1640.

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Edited by JOHN RAITEBY, of Lincoln's Inn, Esq. Barrister at Law.



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A
T A B L E
Containing THE TITLES of all
THE STATUTES,
PUBLICK and PRIVATE,
From the First Year of Queen MARY
To the Sixteenth Year of King CHARLES I.

PUBLICK ACTS.

Anno primo Marie, Sessio prima.

1. **A**N A&t repealing certain Treasons, Felonies and *Premunire*.
 2. **A**N A&t for the Restitution in Blood of the Lady *Garterede Courtneye*, late Wife of *Henry Courtneye*, late Lord Marquis of *Exeter*.
 3. An A&t for the Restitution in Blood of Sir *Edward Courtneye*, Knight, Earl of *Devon*.
-

PUBLICK ACTS.

Anno primo Marie, Sessio secunda.

1. **A**N A&t declaring the Queen's Highness to have been born in a most just and lawful Matrimony; and also repealing all Acts of Parliament, and Sentences of Divorce, had and made to the contrary.
2. An A&t for the Repeal of certain Statutes made in the Time of the Reign of King *Edward* the Sixth.
3. An A&t against Offenders of Preachers and other Ministers in the Church.
4. An A&t touching Writings made from the Sixth Day of *July* last past, and before the First Day of *August* then next ensuing.
5. An A&t for the Limitation of Prescription in certain Cases.
6. An A&t against Counterfeiting of strange Coins, being current within this Realm, or of the Queen's Highness Sign Manual, Signet or Privy Seal.
7. An A&t touching Proclamations upon Fines.
8. An A&t that Sheriffs shall not be Justices of Peace during that Office.
9. An A&t touching Incorporations of the Physicians in *London*.
10. An A&t for the Upping, Dissolving or new erecting of Courts.

11. An Act for the Sale of Hats and Caps made beyond the Sea.
12. An Act against unlawful and rebellious Assemblies.
13. An Act for the Continuance of certain Statutes.
14. An Act for the Continuance of a Statute made for the Reparation of Gaols.
15. An Act for the Re-edifying of the Parish Church of *Saint Elen* in *Stainegate*, within the City of *York*.
16. An Act for the Confirmation of the Attainder of *John* late Duke of *Northumberland*, and others.
17. An Act for the Release of the last Subsidy of the Temporality.
18. An Act of a Subsidy of Tunnage and Poundage of divers Merchandizes.

PRIVATE ACTS.

Anno primo Mariae, Sessio secunda.

1. **A**N Act for the Restitution in Blood of Sir *Thomas Howard*, Knight, otherwise called *Thomas Howard*, Earl of *Surrey*.
2. An Act for the Restitution in Blood of Sir *Edward Seymor*, Knight, eldest Son of the late Duke of *Somerset*, born of the Lady *Anne* his last Wife.
3. An Act for the Incorporation of the Warden and Scholars of *Merton College* in *Oxford*.
4. An Act for the Restitution in Blood of the Heirs of *Henry Poole*, late Lord *Mountague*.
5. An Act for the Restitution in Blood of Sir *Marmaduke Constable*, Knight.
6. An Act for the Restitution in Blood of *Thomas Stanhope*, Esquire.
7. An Act for the Restitution in Blood of *Mathew Arundell*, Esquire.
8. An Act for keeping the County-Days in *Cardiganshire*.
9. An Act for the Restitution in Blood of the Heirs of Sir *Miles Partridge*, Knight.
10. An Act to make free Denizens the Wives and Children of *Richard Batson*, *Thomas Brown* and *John Bradley*, born beyond the Seas.
11. An Act for the Reparation of *Sherborne Cawsey*. [See 1 *M. Sess.* 3. c. 5.]
12. An Act repealing a Statute made in the Fifth Year of King *Edward* the Sixth, touching the approving the Marriage between the Marquis of *Northampton* and the Lady *Elizabeth* his Wife, and for the Legitimation of their Children.
13. An Act declaring the Attainder of the Duke of *Norfolk*.

PUBLICK ACTS.

Anno primo Mariae, Sessio tertio.

1. **A**N Act declaring that the Regal Power of this Realm is in the Queen's Majesty, as fully and absolutely as ever it was in any of her most Noble Progenitors, Kings of this Realm.
2. An

2. An Act touching the Articles of the Queen's Highness most noble Marriage.
3. An Act for the Repeal of two several Acts made in the seventh Year of King *Edward* the Sixth, touching the Dissolution of the Bishoprick of *Durham*.
4. An Act for the establishing of the Office of the Lord Steward of the Queen's Majesty's most Honourable Household.
5. An Act for the Continuation of a Statute made for the Repairing of *Sherborne* Causey.
6. An Act for the Repairing of a Causey betwixt *Bristolwe* and *Gloucester*.
7. An Act touching Cloth-making in Corporate and Market Towns.
8. An Act touching the Buying and Currying of Leather.
9. An Act touching Ordinances and Rules in Cathedral Churches and Schools.
10. An Act for the Repeal of a Statute made for the uniting of the Parish Churches of *Onger* and *Greensted* in the County of *Essex*.
11. An Act touching the Sea-Sands in *Glamorganshire*.
12. An Act for the Continuation of certain Statutes.

PRIVATE ACTS.

Anno primo Mariae, Sessio tertio.

1. **A**N Act for the Restitution in Blood of Sir *William Parr*, Knight, Marquis of *Northampton*.
2. An Act for the Assurance of the Manor of *Gaywood* and *Ryking* in the County of *Norfolk*, to the Earl of *Surrey*.
3. An Act for the ratifying of the Estate of Dame *Lucy Clyfford* in the Manor of *Burton Hawghe*.

PUBLIC ACTS.

Anno primo & secundo Philippi & Mariae.

1. **A**N Act touching Letters Patents and other Writings to be signed by the Queen's Majesty.
2. An Act for the Reformation of Excess in Apparel.
3. An Act against seditious Words and Rumours.
4. An Act for the Punishment of certain Persons calling themselves *Egyptians*.
5. An Act to restrain carrying of Corn, Victuals and Wood over the Seas.
6. An Act for the reviving of three Statutes made for the Punishment of Heresies.
7. An Act that Persons dwelling in the Country shall not sell divers Wares, in Cities and Towns Corporate, by Retail.
8. An Act repealing all Statutes, Articles and Provisions made against the See Apostolick of *Rome*, since the twentieth Year of King *Henry* the Eighth; and also for the Establishment of all Spiritual and Ecclesiastical Possessions and Hereditaments conveyed to the Laity.

9. An Act for the Punishment of traitorous Words against the Queen's Majesty.
10. An Act whereby certain Offences be made Treasons; and also for the Government of the King's and Queen's Majesties Issue.
11. An Act for the Punishment of bringing in of counterfeit Coin of Foreign Realms, being current within this Realm.
12. An Act for the impounding of Distresses.
13. An Act appointing an Order to Justices of Peace for the Bailment of Prisoners.
14. An Act for the making of Russels Sattins, Sattins Reverfes and Fustian of *Naples*, in the City of *Norwich*.
15. An Act to confirm the Liberties of the Lord Marchers in *Wales*.
16. An Act for the Continuation of certain Statutes.
17. An Act touching Leases hereafter to be made by certain Spiritual Persons.

PRIVATE ACTS.

Anno primo & secundo Philippi & Marie.

1. **A**N Act repealing the Attainder of the Lord Cardinal *Pole*.
2. An Act repealing all Attainders and Outlawries had or made against *Richard Pate*, *William Petowe*, *Thomas Goldwell* and others.
3. An Act to confirm the Attainder of *Henry Duke of Suffolk*, *John Gray*, *Thomas Gray*, *Thomas Wyatt*, *James Croft*, *Peter Carewe*, *Robert Dudley*, *Henry Isley*, Knights, and many others.
4. An Act for the uniting and annexing of the whole Town or Hamlet of *Bucknell* to the County of *Salop*.

PUBLICK ACTS.

Anno secundo & tertio Philippi & Marie.

1. **A**N Act for the re-edifying of Castles and Forts, and for the inclosing of Grounds, upon the Borders towards and against *Scotland*.
2. An Act for the re-edifying of decayed Houses of Husbandry, and for Increase of Tillage.
3. An Act for keeping of Milch Kine, and for the breeding and rearing of Calves.
4. An Act for the Extinguishment of the First Fruits; and touching Order and Disposition of the Tenths of Spiritual and Ecclesiastical Promotions, and of Rectories and Parsonages Improprate, remaining in the Queen's Majesty's Hands.
5. An Act for the Relief of the Poor.
6. An Act against the excessive taking of Purveyors.
7. An Act against the Buying of stolen Horses.
8. An Act for the amending of Highways.
9. An Act to make void divers Licences for Houses, wherein unlawful Games be used.
10. An Act to take Examination of Prisoners suspected of Manslaughter or Felony.

TITLES of the STATUTES, 3^o—5^o PHIL & MAR.

11. An Act touching Weavers.
12. An Act for the viewing and sealing of Clothes, commonly called *Bridgwaters*.
13. An Act for the Inhabitants of *Halifax*, touching the buying of Wools.
14. An Act for the re-edifying of four Mills near the City of *Hereford*.
15. An Act that Purveyors shall not take Victuals within five Miles of *Cambridge* and *Oxford*.
16. An Act touching Watermen and Bargemen upon the River of *Thames*.
17. An Act to take away the Benefit of Clergy from *Bennet Smith*, for the Murther of *Rufford*.
18. An Act touching Commissions of the Peace and Gaol-delivery in Towns Corporate, not being Counties of themselves.
19. An Act touching the Powdike in *Marsh-land*.
20. An Act for the enlarging of the Duchy of *Lancaster*.
21. An Act for the Continuance of certain Statutes.
22. An Act for the Confirmation of a Subsidy granted by the Clergy.
23. An Act of a Subsidy granted by the Temporality.

PRIVATE ACTS.

Anno secundo & tertio Philippi & Mariae.

1. **A**N Act whereby the Duke of *Norfolk*, by the Advice of the Lord Chancellor of *England*, the Earl of *Arundell* and the Bishop of *Elye*, may make Sales and Grants of his Lands, &c. notwithstanding his Minority.
 2. An Act whereby the Heirs of *Sir Edward Nevill*, Knight, are restored to the Remainder of the Barony of *Burgavenny*.
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PUBLICK ACTS.

Anno quarto & quinto Philippi & Mariae.

1. **A**N Act for the Confirmation of Letters Patents.
2. An Act for the having of Horfe Armour and Weapon.
3. An Act for the taking of Musters.
4. An Act that Accessaries in Murder and divers Felonies shall not have the Benefit of Clergy.
5. An Act touching the making of Woollen Clothes.
6. An Act to inquire of the Behaviour of *Frenchmen*, being *Demizens*.
7. An Act to make up the Jury with *Circumstantibus*, where the King and Queen's Majesties is a Party.
8. An Act for the Punishment of such as shall take away Maidens that be Inheritors, being within the Age of Sixteen Years, or that marry them, without Consent of their Parents.
9. An Act for the Continuation of certain Statutes.
10. An Act for the Confirmation of the Subsidy of the Clergy.
11. An Act of a Subsidy and one Fifteen granted by the Temporality.

PRIVATE ACTS.

Anno quarto & quinto Philippi & Maria.

1. AN A&t for the Assurance of the Honour of *Rayley* to the Queen's Majesty; and for Assurance of divers other Lands in the County of *Essex* in Lieu thereof to *Richard Lord Rich*.
2. An A&t for the Assurance of the Countess of *Suffen's* Jointure.
3. An A&t for the Restitution in Blood of Sir *Ambrose Dudley* and Sir *Robert Dudley*, Knights.
4. An A&t for the Foundation of an Hospital at *Stoke Puges* in the County of *Buckingham*.
5. An A&t for the Payment of Tythes in the City of *Coventry*. [*Repealed as to the Parish and Vicarage of the Trinity*, 19 G. 3. c. 57. § 1; and as to the Parish and Vicarage of Saint Michael, 19 G. 3. c. 60. § 1.]

PUBLIC ACTS.

Anno primo Regine Elizabethæ.

1. AN A&t restoring to the Crown the ancient Jurisdiction over the State Ecclesiastical and Spiritual, and abolishing all foreign Power repugnant to the same.
2. An A&t for the Uniformity of Common Prayer and Divine Service in the Church, and the Administration of the Sacraments.
3. An A&t of Recognition of the Queen's Highness Title to the Imperial Crown of this Realm.
4. An A&t for the Restitution of the First-fruits and Tenths, and Rents reserved *nomine Decime*, and of Parsonages impropriate, to the Imperial Crown of this Realm.
5. An A&t whereby certain Offences be made Treason.
6. An A&t for the Explanation of the Statute of seditious Words and Rumours.
7. An A&t to revive a Statute made in the Twenty third Year of the Reign of King *Henry* the Eighth, touching the conveying of Horses, Geldings and Mares into *Scotland*.
8. An A&t touching Shoemakers and Curriers.
9. An A&t touching Tanners, and the selling of tanned Leather.
10. An A&t that the carrying of Leather, Tallow or Raw Hides, out of the Realm for Merchandize shall be Felony.
11. An A&t limiting the Times for laying on Land, Merchandize from beyond the Seas, and touching Customs for Sweet Wines.
12. An A&t against the deceitful Using of Linen Cloth.
13. An A&t for the Shipping in *English* Bottoms.
14. An A&t for the Continuance of the making of Woollen Cloth in divers Towns in the County of *Essex*.
15. An A&t that Timber shall not be felled to make Coals for the making of Iron.
16. An A&t to continue the Act made against rebellious Assemblies.
17. An A&t for the Preservation of Spawn and Fry of Fish.
18. An

18. An Act for the Continuance of certain Statutes.
19. An Act giving Authority to the Queen's Majesty, upon the Avoidance of any Archbishoprick or Bishoprick, to take into her Hands certain of the Temporal Possessions thereof, recompensing the same with Parsonages impropriate and Tenths.
20. An Act of a Subsidy of Tonnage and Poundage.
21. An Act of a Subsidy, and two Fifteens and Tenth, granted by the Temporality.
22. An Act giving Authority to the Queen during her Life to make Ordinances in Collegiate Churches and Schools.

PRIVATE ACTS.

Anno primo Regina Elizabethæ.

1. **A**N Act whereby the Queen's Highness is restored in Blood to the late Queen *Anne*, her Highness's Mother.
2. An Act for the Restitution in Blood of the Lord *John Graye*.
3. An Act for the Restitution in Blood of Sir *James Crofts*, Knight.
4. An Act for the Restitution in Blood of Sir *Henry Gates*, Knight.
5. An Act for the Assurance of certain Manors, Lands and Tenements, formerly Parcel of the Possessions of the Bishoprick of *London*, to the Lord *Wentworth*, the Lord *Riche*, and the Lord *Darcy*.
6. An Act that *Garfome Wroth*, born in *Germany*, shall be taken and reputed the Queen's natural born Subject.
7. An Act that the Manors, Lands and Tenements, which *Thomas Browne* and *George Browne* are seised of in Fee-Simple or Fee-Tail in the County of *Kent*, which are of the Tenure and Nature of Gavelkind, shall from henceforth be clearly changed from that Custom.
8. An Act for the Restitution in Blood of *Robert Rudston*, Esquire.
9. An Act declaring the Repeal of the Attainder of the late Cardinal *Pole*.
10. An Act for the Incorporation of *Trinity Hall in Cambridge*.
11. An Act for Confirmation of the Marriage between *Thomas Duke of Norfolk* and the Lady *Margaret*, Daughter and Heir of *Thomas Lord Awdley*, and for Confirmation of her Jointure.
12. An Act for the Restitution in Blood of the Children of *Edward Lewkenor*, Esquire.
13. An Act for the keeping of a Mart or Fair once a Year in the Town of *King's Lynn* in the County of *Norfolk*.
14. An Act for the making of a Chappel in *Carmarthenshire* to be a Parish Church.
15. An Act for the Assurance of the Manor of *Busbopston and Dutton* in the County of *Wiltes*, and other Lands in other Counties, being Parcel of the Possessions of the Bishoprick of *Winchester*, unto *William Earl of Pembroke*, Sir *Philip Hobby*, Sir *John Mason*, and others.
16. An Act for the Assizes and Sessions for the County of *Stafford* to be holden in the Town of *Stafford*.
17. An Act for the Restitution in Blood of the Lord *Dacres* of the South.

20. An Act to make free Denizens the Children of *John Fitzwilliams, James Harvey*, and others, born beyond the Seas.
21. An Act to enable *William Pope* to alien certain Lands to make his Wife a Jointure.

PUBLIC ACTS.

Anno octavo Regina Elizabethæ.

1. AN Act declaring the Manner of making and consecrating of the Archbishops and Bishops of this Realm, to be good, lawful and perfect.
2. An Act whereby the Defendant may recover his Costs being wrongfully vexed.
3. An Act against carrying over Sea, Rams, Lambs and other Sheep alive.
4. An Act to take away the Benefit of Clergy from certain felonious Offenders.
5. An Act for the Abridgment of Appeals in Suits of Civil and Marine Causes.
6. An Act touching Clothworkers, and Cloths ready wrought to be shipped over the Sea.
7. An Act touching Drapers, Cottoners and Frizers in the Town of *Sbrevsbury*.
8. An Act for the Repeal of a Branch of a Statute made *Anno 32 H. 8.* for the Statute of Horfes within the Isle of *Ely*, and other Places confining thereunto.
9. An Act to repeal a Branch of a Statute made *Anno 23 H. 8.* touching the Prices of Barrells and Kilderkins.
10. An Act for Bowyers, and the Prices of Bows.
11. An Act for true making of Hats and Caps.
12. An Act for the Aulnegers Fees in *Lancashire*, and for Length, Breadth and Weight of Cottons, Frizes and Rugs.
13. An Act concerning Sea-marks and Mariners.
14. An Act touching transporting of Tawed Leather.
15. An Act for Preservation of Grain.
16. An Act that in divers Counties there shall be but one Sheriff in one County.
17. An Act for Confirmation of a Subsidy granted by the Clergy.
18. An Act of the Queen's Majesty's Free and General Pardon.
19. An Act of a Fifteen and Tenth, granted by the Temporality.
20. An Act for repealing a Branch of the Statute made *Anno 26 Hen. 8.* touching Trial of Offences in the County of *Merioneth* in *North Wales*.

PRIVATE ACTS.

Anno octavo Regina Elizabethæ.

1. AN Act for the Incorporation of the Fellowship and Society of *English* Merchants for the Discovery of new Trades.
2. An Act for Confirmation of the Queen's Highness Letters Patents made for the Hospital of *Saint Bartholomew's* in *Gloucester*.

3. An

3. An Act for Confirmation of Letters Patents granted to the Merchants Adventurers of the City of *Bristow*.
4. An Act confirming the Queen's Majesty's Letters Patents, concerning the making of Allum and Copperas within this Realm and other her Highness's Dominions.
5. An Act for the Inning of *Plumsted Marsh*, being surrounded.
6. An Act for the Assurance of the Countess of *Warwick's* Jointure.
7. An Act for the Assurance of the Lady *Cobham's* Jointure.
8. An Act for Assurance of the Jointure of the Lady *Mary Stafford* Wife of *Edward Lord Stafford*.
9. An Act to make *John Stafford* a free Denizen, being born beyond the Seas.
10. An Act to alter the Nature of Gavelkind in the Lands of *Thomas Brown*, Esquire.
11. An Act for the Town Clerk of *Tork*.
12. An Act for the paving of *Kentish Street* in *Southwark*.
13. An Act for the making of Salt within the Queen's Majesty's Dominions.
14. An Act for keeping a Market upon *Thursdays* at *Battel*, in the County of *Suffex*.

PUBLICCK ACTS.

Anno decimo tertio Regina Elizabethæ.

1. **A**N Act whereby certain Offences be made Treason.
2. **A**N Act against the bringing in and putting in Execution of Bulls, and other Instruments from the See of *Rome*.
3. An Act against Fugitives over the Sea.
4. An Act to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers, &c. liable to the Payment of their Debts.
5. An Act against fraudulent Deeds, Gifts, Alienations, &c.
6. An Act that the *Constats*, and Exemplifications of Letters Patents, shall be as good and available, as the Letters Patents themselves.
7. An Act touching Orders for Bankrupts.
8. An Act against Usury.
9. An Act for the Commission of Sewers.
10. An Act against Frauds, defeating Remedies for Dilapidations.
11. An Act for the Maintenance of the Navigation.
12. An Act to reform certain Disorders touching Ministers of the Church.
13. An Act for the Increase of Tillage, and Maintenance of the Navy.
14. An Act for the bringing of Bow Staves into this Realm.
15. An Act that no Hove or Plate shall cross the Seas.
16. An Act for the Confirmation of the Attainders of *Charles* Earl of *Westmorland*, *Thomas* Earl of *Northumberland*, and others; the Convictions, &c. confirmed.
17. An Act to license the Earl of *Leicester* to found an Hospital.
18. An Act for the bringing of the River of *Lee* to the North Side of the City of *London*.

20. An Act to make free Denizens the Children of *John Fitzwilliams, James Harvey*, and others, born beyond the Seas.
21. An Act to enable *William Pope* to alien certain Lands to make his Wife a Jointure.

PUBLIC ACTS.

Anno octavo Regine Elizabethæ.

1. AN Act declaring the Manner of making and consecrating of the Archbishops and Bishops of this Realm, to be good, lawful and perfect.
2. An Act whereby the Defendant may recover his Costs being wrongfully vexed.
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PUBLICCK ACTS.

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1. **A**N Act whereby certain Offences be made Treason.
2. An Act against the bringing in and putting in Execution of Bulls, and other Instruments from the See of *Rome*.
3. An Act against Fugitives over the Sea.
4. An Act to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers, &c. liable to the Payment of their Debts.
5. An Act against fraudulent Deeds, Gifts, Alienations, &c.
6. An Act that the *Constables*, and Exemplifications of Letters Patents, shall be as good and available, as the Letters Patents themselves.
7. An Act touching Orders for Bankrupts.
8. An Act against Usury.
9. An Act for the Commission of Sewers.
10. An Act against Frauds, defeating Remedies for Dilapidations.
11. An Act for the Maintenance of the Navigation.
12. An Act to reform certain Disorders touching Ministers of the Church.
13. An Act for the Increase of Tillage, and Maintenance of the Navy.
14. An Act for the bringing of Bow Staves into this Realm.
15. An Act that no Hove or Plate shall cross the Seas.
16. An Act for the Confirmation of the Attainders of *Charles Earl of Westmorland*, *Thomas Earl of Northumberland*, and others; the Convictions, &c. confirmed.
17. An Act to license the Earl of *Leicester* to found an Hospital.
18. An Act for the bringing of the River of *Lee* to the North Side of the City of *London*.

19. An Act for the making of Caps.
20. An Act touching Leases of Benefices, and other Ecclesiastical Livings with Cure.
21. An Act that Purveyors may take Grain, Corn or Victuals within Five Miles of *Cambridge* and *Oxford*, in certain Cases.
22. An Act to continue the Statute for Division of Sheriffs.
23. An Act for the paving of a Street without *Aldgate*.
24. An Act for the paving of the Town of *Ipswich*.
25. An Act for the Reviving and Continuance of certain Statutes.
26. An Act for the Confirmation of a Subsidy granted by the Clergy.
27. An Act of a Subsidy, and two Fifteens and Tenths granted by the Temporality.
28. An Act of the Queen's Highness most gracious, general and free Pardon.
29. An Act for the Incorporation of both the Universities.

PRIVATE ACTS.

Anno decimo tertio Regina Elizabethæ.

1. AN Act for making the River of *Welland* in the County of *Lincoln* navigable.
2. An Act to make a free Denizen *Peregrine Bertie* born beyond the Seas.
3. An Act for Confirmation of a Statute made Anno 5 Eliz. touching the bringing in of sweet Wines into this Realm by Merchant Strangers, to be laden and discharged at the Town of *Southampton*.
4. An Act for the Town of *Bristol*.
5. An Act that all Statutes and Recognizances acknowledged before the Mayor of the Town of *Lostwithell* in *Cornwall* shall be of Force and effectual in Law.
6. An Act for the Assurance of certain Lands to *William Skeffington*.
7. An Act for *Morrice Rodney*, Esquire.
8. An Act for the Restitution in Blood of *Sir Thomas Wyatt's* Children.
9. An Act for the Incorporation and uniting of *Weymouth* and *Melcombe Regis* in the County of *Dorset*.
10. An Act for the Restitution in Blood of *Henry Brereton*, Esquire.
11. An Act for the Assurance of divers Manors, Lands and Tenements to *Henry Lord Berkley*, and the Lady *Katherine* his Wife.
12. An Act touching *John Tyrrell*, Esquire.

PUBLICK ACTS.

Anno decimo quarto Regina Elizabethæ.

1. AN Act for the Punishment of such as shall rebelliously take or detain, or conspire to take or detain, from the Queen's Majesty, any of her Castles, Towers, Fortresses, Holds, &c.

2. An

2. An Act against such as shall conspire or practise the Enlargement of any Prisoner committed for High Treason.
3. An Act against the Forging and Counterfeiting of Foreign Coin, being current within this Realm.
4. An Act to revive a Statute made *Anno primo* of the Queen's Majesty's Reign, inhibiting the carrying of Leather, Tallow and Raw Hides out of the Realm.
5. An Act for the Punishment of Vagabonds, and for Relief of the Poor and Impotent.
6. An Act for the Explanation of a Statute made against Fugitives over the Seas, in the Thirteenth Year of the Queen's Majesty's Reign.
7. An Act against the Deceits of Under-Collectors of the Tenths and Subsidies of the Clergy.
8. An Act for the avoiding of Recoveries suffered by Collusion by Tenants for Term of Life, and such others.
9. An Act declaring that the Tenant and Defendant may have a *Tales de Circumstantibus*, as well as the Demandant or Plaintiff.
10. An Act to reform the excessive Length of Kersies.
11. An Act for the Continuation, Explanation, Perfecting and Enlarging of divers Estatutes.
12. An Act for the Repeal of a Statute made *Anno octavo* of the Queen's Majesty's Reign, touching the Town of *Shrewsbury*.
13. An Act for the annexing of *Hexham* and *Hexhamshire* to the County of *Northumberland*.
14. An Act for the Assurance of Gifts, Grants, &c. made and to be made to and for the Relief of the Poor in Hospitals, &c.

PRIVATE ACTS.

Anno decimo quarto Regine Elizabethæ.

1. **A**N Act for the Continuance of a Statute made for the Inning of *Plumsted Marsh* in the County of *Kent*, being surrounded.
2. An Act for the better and further Assurance of Lands given for the Maintenance of the Free Grammar School in *Tunbridge* in the County of *Kent*.
3. An Act for the Assurance of certain Lands and Tenements according to the Meaning of *Sir Thomas Woodboufe*, Knight, for the Benefit of certain Infants.

PUBLIC ACTS.

Anno decimo octavo Regine Elizabethæ.

1. **A**N Act against the diminishing and impairing of the Queen's Majesty's Coin, and other Coins lawfully current within this Realm.
2. An Act for Confirmation, as well of all Grants made to the Queen's Majesty, as of Letters Patents made by her Majesty to others.
3. An Act for the setting of the Poor on Work, and for the avoiding of Idleness.

4. An

4. An Act for the avoiding of Frauds in certain Conveyances and Assurances made by the late Rebels in the North.
5. An Act to redress Disorders in common Informers upon Penal Laws.
6. An Act for the Maintenance of the Colleges in the Universities, and of *Winchester* and *Eaton*.
7. An Act to take away Clergy from the Offenders in Rape and Burglary; and an Order for the Delivery of Clerks convict without Purgation.
8. An Act for the appointing and authorizing of Justices of Assizes in the Shires of *Wales*.
9. An Act against the transporting of Leather, Tallow and Raw Hides out of the Realm.
10. An Act of Addition unto the former Acts, for the amending and repairing of Highways.
11. An Act for the Explanation of the Statutes, intituled, *Against the Defeating of Dilapidations, and against Leases to be made of Spiritual Promotions, in some respects.*
12. An Act for the Trial of *Nisi Prius* in the County of *Middlesex*.
13. An Act concerning Offices found within the Counties Palatines.
14. An Act for Reformation of Jeofails.
15. An Act for Reformation of Abuses in Goldsmiths.
16. An Act for the Toleration of certain Clothiers in the Counties of *Wilts, Somerset* and *Gloucester*, to inhabit out of Towns Corporate.
17. An Act for the perpetual Maintenance of *Rochester* Bridge.
18. An Act for the repairing of *Chepstowe* Bridge.
19. An Act for the Paving of the City of *Chichester*.
20. An Act for the Repairing and Amending of the Bridges and Highways near unto the City of *Oxford*.
21. An Act for the Relief and Re-edifying of the Borough of *New Woodstock*, in the County of *Oxford*.
22. An Act for Confirmation of a Subsidy granted by the Clergy.
23. An Act of two Fifteens and Tenths, and one Subsidy granted by the Temporality.
24. An Act of the Queen's Majesty's most free and general Pardon.

PRIVATE ACTS.

Anno decimo octavo Regina Elizabethæ.

1. **A**N Act for *Wigstone's* Hospital at *Leicester*.
2. **A**N Act for the Hospital of *Saint Crosse* near *Winchester*.
3. An Act for Payment of Tithes in *Halifax* in the County of *York*.
4. An Act for the Assurance of the Manor of *Newhall* to *Thomas* Earl of *Suffex* Lord Chamberlaine.
5. An Act for the Lord Viscount *Howard* of *Byndon*, and *Henry Howard* Esquire, and *Frances* his Wife.
6. An Act for the Restitution in Blood of *Henry Norris*, Knight, Lord *Norris* of *Rycott*.
7. An Act that the Lady *Jane Sibilla* Wife to the Lord *Graye* of *Wilton*, born beyond the Sea, shall be reputed and taken the Queen's natural Subject,

8. An Act for the better Assurance of certain Lands in *Northamptonshire* to *Christopher Hatton*, Esquire, from Sir *John Spencer*.
9. An Act for selling divers Lands for Payment of the Debts of *Wilham Isley*, Esquire.
10. An Act for the Assurance of certain Lands to Sir *John Rivers*, Knight.
11. An Act that certain Persons born beyond the Seas, may be deemed and reputed as mere *English*.
12. Another Act that certain Persons born beyond the Seas, may be deemed and reputed as mere *English*.
13. An Act for the Confirmation of an Arbitrament to be made by certain Persons, touching a Controversy between *Richard Huddleston*, Esquire, and Dame *Isabell Weyman* his Wife on the one Part, and *Francis Weyman*, Gentleman, on the other Part.

PUBLICK ACTS.

Anno vicessimo tertio Regina Elizabethæ.

1. **A**N Act to retain the Queen's Majesty's Subjects in their due Obedience.
2. An Act against seditious Words and Rumours uttered against the Queen's Most excellent Majesty.
3. An Act for the Reformation of Errors in Fines and Recoveries.
4. An Act for the Fortifying of the Borders towards *Scotland*.
5. An Act touching Iron Mills near unto the City of *London*, and the River of *Thames*.
6. An Act for the repairing of *Dover* Haven.
7. An Act for the Increase of Mariners, and for Maintenance of Navigation.
8. An Act touching the true melting, making and working of Wax.
9. An Act for the abolishing of certain deceitful Stuff used in the Dying of Cloth.
10. An Act for Preservation of Pheasants and Partridges.
11. An Act for the Re-edifying of *Cardiff* Bridge, in the County of *Glamorgan*.
12. An Act for an Addition to a former Act made *Anno 13* of her Majesty's Reign, for the Paving of a Street without *Aldgate*, leading to her Highness Storehouses at the *Minorics*, and other Places.
13. An Act for the Inning of *Earith* and *Plumstead* Marsh.
14. An Act of a Subsidy granted by the Clergy.
15. An Act for a Subsidy and two Fifteens granted by the Temporality.
16. An Act for the Queen's Majesty's most gracious, general and free Pardon.

29. An Act of one Subsidy, and two Fifteenths and Teenths granted by the Temporality.
30. An Act for the Queen's Majesty's most gracious, general and free Pardon.

PRIVATE ACTS.

Anno vicesimo septimo Regine Elizabethæ.

1. **A**N Act for Confirmation of Her Majesty's Letters Patents to *Queen's College* in *Oxford*.
2. An Act for Confirmation of Her Majesty's Letters Patents unto the Masters, Fellows and Scholars of *Clare Hall* in *Cambridge*.
3. An Act touching divers Assurances made by the Bishop and Dean and Chapter of *Exeter*,
4. An Act for Paving of *Newark* upon *Trent* in *Nottinghamshire*. [*Repeated*, 38 G. 3. c. xxvi.]
5. An Act for Restitution of *Lord Thomas Howard*.
6. An Act for Paving of *New Windsor* in *Berkshire*.
7. An Act for the Assuring of certain Lands to the Lord *Hunsdon*.
8. An Act for the Assurance of certain Lands to *George Chetwode*, Esquire, from *Edward Fisher* of *Warwick*.
9. An Act for Assuring the Manors of *Haversham* and *Bishops Hampton* to *Sir Thomas Lucy* and others.
10. An Act for Assuring of Lands to the Lord *Willoughby* of *Erisby*, from *Walter Erenden* and his Heirs.
11. An Act enabling *Edward Fisher* to sell certain Lands for the Payment of his Debts.
12. An Act for the Assurance of certain Lands and Tenements in *London* to *Jonas Scott*.
13. An Act for Confirmation of the Foundation of the Hospital of *Eastbridge* in *Canterbury*, with Ordinances for Government thereof, and for the better Relief of the Poor there.
14. An Act concerning the Lord *Dacres*, and the Lord *Norries*, and *Sampson Leonard*, for the peaceable enjoying of Lands.
15. An Act for the Foundation of *Christ's Hospital* in *Sherborn* within the County Palatine of *Durham*.
16. An Act for the Establishment of an Award made between *Robert Lord Rich* and *Thomas Barrington*, Knight, and their Heirs, &c.
17. An Act for the good Government of the City or Borough of *Westminster* in *Middlesex*. [*Continued*, 3 Car. 1. c. 4. § 17. 22-16 Car. 1. c. 4. and see 29 G. 2. c. 25.]
18. An Act for the Countess of *Huntingdon's* Jointure.
19. An Act for the Maintenance of the Pier or Cob of *Lynne Regis* in the County of *Dorset*. [*Continued*, 3 Car. 1. c. 4. § 3. 22. 16 Car. 1. c. 4.]

PUBLICK ACTS.

Anno vicesimo nono Regine Elizabethæ.

1. **A**N Act for the Confirmation of the Attainders of *Thomas* late Lord *Paget*, and others.
2. An Act concerning Errors in Records of Attainders of High Treason.
3. An

3. An Act to avoid fraudulent Assurances made in certain Cases by Traitors.
4. An Act to prevent Extortion in Sheriffs, Under Sheriffs and Bailiffs of Franchises or Liberties, in Cases of Execution.
5. An Act for the Continuance and Perfecting of divers Statutes.
6. An Act for the more speedy and due Execution of certain Branches of the Statute made in the Twenty third Year of the Queen's Majesty's Reign, intituled, *An Act to retain the Queen's Majesty's Subjects in their due Obedience.*
7. An Act of one Subsidy by the Clergy.
8. An Act for the grant of one intire Subsidy, and two Fifteens and Tenths granted by the Temporality.
9. An Act for the Queen's Majesty's most gracious, general and free Pardon.

PRIVATE ACTS.

Anno vicesimo nono Regina Elizabethæ.

1. **A**N Act for Confirmation of the Sale of *Edward Fisher's* Lands made towards the Satisfaction of his Debts, Charges and Incumbrances.
2. An Act to enable *Charles Lord Mountjoy* to sell Lands for the Queen's Service, for Payments of his Debts and Advancement of his Children.

PUBLICK ACTS.

Anno tricesimo primo Regina Elizabethæ.

1. **A**N Act against Discontinuances of Writs of Error in the Courts of Exchequer and King's Bench.
2. An Act for abridging Proclamations upon Fines to be levied at the Common Law.
3. An Act for the avoiding of privy and secret Outlawries of her Majesty's Subjects.
4. An Act against imbezilling of Armour, Habillments of War and Victual.
5. An Act concerning Informers.
6. An Act against Abuses in Election of Scholars, and Presentation to Benefices.
7. An Act against erecting and maintaining of Cottages.
8. An Act for the true Gauging of Vessels brought from beyond the Seas, converted by Brewers for the Utterance and Sale of Ale and Beer.
9. An Act for Writs upon Proclamations and *Exigents*, to be current within the County Palatine of *Durham*.
10. An Act for the Continuance and Perfecting of divers Statutes.
11. An Act of Explanation or Declaration of the Statute of *Octavo Regis Henrici Sexti* concerning forcible Entries, the Indictments thereupon to be found.
12. An Act to avoid Horse-stealing.
13. An Act for reviving and enlarging of a Statute made in the 23d Year of her Majesty's Reign, for repairing of *Dover* Haven.

14. An Act for Confirmation of the Subsidies of the Clergy.
15. An Act for the granting of Four Fifteens and Tenths, and Two entire Subsidies, to our most gracious Sovereign Lady the Queen's Most excellent Majesty.
16. An Act for the Queen's Majesty's most gracious, general and free Pardon.

PRIVATE ACTS.

Anno tricesimo primo Regina Elizabethæ.

1. AN Act for the Preservation of the Haven of *Orford*.
2. An Act for the naturalizing of the Daughter of *Ralph Elking*, Gentleman, Wife of *Richard Lambert*.
3. An Act for the Assurance of the Jointure of *Anne* the Wife of *Henry Newill*.
4. An Act concerning the Almshouse at *Lamborne* in *Berkshire*.
5. An Act for the Relief of the City of *Lincoln*.
6. An Act for the Sale of *Thomas Handford's* Lands, towards the Payment of his Debts.
7. An Act for the Avoiding of certain Conveyances, and other Estates, supposed to be procured by *Thomas Drury*, of the Lands of *Thomas Haslerigg*.
8. An Act for the better Assurance of Lands and Tenements for the Maintenance of the Grammar School at *Cambridge*.

PUBLIC ACTS.

Anno tricesimo quinto Regina Elizabethæ.

1. AN Act to retain the Queen's Majesty's Subjects in their due Obedience.
2. An Act for the Restraining of Popish Recusants to some certain Places of Abode.
3. An Act for Explanation of the Statute made in the xxxiiiith Year of King *Henry* the Eighth, as well touching Grants made to His Majesty, as for Confirmation of Letters Patents made by His Highness to others.
4. An Act for the necessary Relief of Soldiers and Mariners.
5. An Act for Explanation and Confirmation of the Queen's Majesty's Title to the Lands and Tenements, late Sir *Francis Englefield's*, Knight, attainted of High Treason.
6. An Act for Restraint of new Buildings, converting of great Houses into several Tenements, and for Restraint of Inmates and Inclosures, in and near unto the Cities of *London* and *Westminster*.
7. An Act for the Reviving, Continuance, Explanation and Perfecting of divers Statutes.
8. An Act for the avoiding of Deceit used in making and selling of twice laid Cordage, and for the better Preserving of the Navy of this Realm.
9. An Act touching the Breadth of Plunkets, Azures and Blues, and other coloured Cloths, made within the County of *Somerset*, and elsewhere of like making.

10. An Act for the Reformation of sundry Abuses in Cloths, called *Devonshire* Kerfies or Dozens, according to a Proclamation of the xxxiiith Year of the Reign of our Sovereign Lady the Queen's Majesty that now is.
11. An Act for the bringing in of Clap-board from the Parts of beyond the Seas, and the restraining of transporting of Wine Casks, for the sparing and preserving of Timber within the Realm.
12. An Act for Confirmation of the Subsidies of the Clergy.
13. An Act for the Grant of Three entire Subsidies, and Six Fifteenths and Tenths granted by the Temporality.
14. An Act for the Queen's Majesty's most gracious, free and general Pardon.

PRIVATE ACTS.

Anno tricesimo quinto Regina Elizabetha.

1. **A**N Act for the Confirmation of Letters Patents to the Mayor, Sheriffs, Citizens and Commonalty of the City of *Lincoln*.
2. An Act that the late Scite of the dissolved House of the *Gray Fryers* in or near *Cambridge* may be sold, or lett in Fee-farme, or otherwise, for the Erection of a new College in the University of *Cambridge*.
3. An Act for the better Assurance of the Jointure of the Lady *Margaret* Countess of *Cumberland*.
4. An Act concerning the Lands of *Henry* late Lord *Abergavenny* deceased.
5. An Act to enable *William* Lord *Vauxe* Lord *Harrowden*, to sell certain Manors, for Payment of his Debts, and for Advancement of his Daughters.
6. An Act for Restitution in Blood of Sir *Thomas Perrott*.
7. An Act for the Naturalizing and making Free of *William Sidney*, eldest Son of Sir *Robert Sidney*, Knight, Governor of *Ulusbing*, and Dame *Barbara* his Wife; and of *Peregrine Wingfield*, Son and Heir of Sir *John Wingfield*, and Dame *Suzan* Countess of *Kent* his Wife.
8. An Act to confirm the Sale of certain Manors, Lands and Tenements made by Sir *Richard Knightley*, Knight, *Valentine Knightley* and *Edward Knightley*, Esquires, unto *Charles Haks*, Esquire, *Thomas Brickett*, *John Lambert*, Gentleman, and others.
9. An Act concerning the Assurance of certain Lands and Tenements to *Reade Stafford*, Esquire, and *Mabell* his Wife, and to the Heirs of the said *Reade*.
10. An Act for the bringing in of a fresh Stream into the Town of *Stonehowse* in the County of *Devon*.
11. An Act that *Lisle Cave*, *Thomas Andrews* and *Edmond Hasleridge*, shall enjoy certain Lands which were the Lands of *William Raven*, Gentleman, Servant to *Robert Taylor*, one of Her Majesty's Tellers in the Receipt of her Exchequer, towards the Satisfaction of some Debts due to Her Majesty.
12. An Act touching Power and Liberty to repeal certain Uses of a Deed Tripartite herein mentioned, of and in the Manors, Lands and Tenements of *Anthony Cook* of *Rumford*, Esquire.
13. An Act for the Naturalizing of certain *Englishmens* Children born beyond the Seas.

PUBLICK ACTS.

Anno tricesimo nono Regina Elizabethæ.

1. **A**N A&t against the decaying of Towns and Houses of Husbandry.
2. An A&t for Maintenance of Husbandry and Tillage.
3. An A&t for Relief of the Poor.
4. An A&t for Punishment of Rogues, Vagabonds and sturdy Beggars.
5. An A&t for erecting of Hospitals, or Abiding and Working Houses for the Poor.
6. An A&t to reform Deceits of Breaches of Trust touching Lands given to charitable Uses.
7. An A&t for the more speedy Payment of the Queen's Majesty's Debts, and for the better Explanation of the Act made in the Thirteenth Year of the Queen's Majesty, intituled, *An A&t to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers, &c. liable to the Payment of their Debts.*
8. An A&t for the Confirmation and Establishment of the Deprivation of divers Bishops and Deans in the Beginning of Her Majesty's Reign.
9. An A&t for the taking away of Clergy from Offenders against a certain Statute made in the Third Year of *H. 7.* concerning the taking away of Women against their Wills unlawfully.
10. An A&t for the Increase of Mariners, and Maintenance of the Navigation; repealing a Statute made in the xxiiith. Year of Her Majesty's Reign, bearing the same Title.
11. An A&t for the better Execution of a Statute made in the xxiiith. Year of the Queen's Majesty's Reign, for the abolishing of Logwood, *alias* Blockwood, in the Dying of Cloth, Wool or Yarn.
12. An A&t for the Explanation of the Statute made in the Fifth Year of Her Majesty's Reign, concerning Labourers.
13. An Explanation of an Act made in the xi. Year of King *H. 7.* for Fustians.
14. An A&t prohibiting the Bringing into this Realm, of Foreign Cards for Wool.
15. An A&t, that no Person robbing any House in the Day-time, although no Person be therein, shall be admitted to have the Benefit of his Clergy.
16. An A&t to restrain the excessive making of Malt.
17. An A&t against lewd and wandering Persons, pretending themselves to be Soldiers or Mariners.
18. An A&t for the Reviving, Continuance, Explanation, Perfecting and Repealing of divers Statutes.
19. An A&t for the Amendment of Highways in the Counties of *Suffex, Surrey and Kent.*
20. An A&t against the deceitful Stretching and Tentring of Northern Cloth.
21. An A&t for the further Continuance and Explanation of an A&t for the necessary Relief of Soldiers and Mariners, made in the xxxvth Year of the Queen's Majesty's Reign that now is.
22. An A&t for the Establishing of the Bishoprick of *Norwich*, and the Possessions of the same, against a certain pretended concealed Title thereunto.

23. An Act for the Repairing of the Bridges of *Newport* and *Carlton*, in the County of *Monmouth*.
24. An Act for the Erecting and Building of a Bridge over the River of *Wye*, at *Wilton* upon *Wye*, near the Town of *Rosse*, in the County of *Hereford*.
25. An Act for Enlarging of the Statute made for following Hue and Cry, in the xxviii Year of Her Majesty's Reign, in some Sort to relieve the Inhabitants of the small Hundred of *Beynersb*, alias *Benbersb*, in Cases where they are in no voluntary Default, and yet are or shall be charged by the same Statute, and by the Two ancient Statutes, the one made the xiii Year of King *Edward* the First, the other in the xxviii Year of King *Edward* the Third, for repressing of Robberies.
26. An Act for Confirmation of the Subsidies granted by the Clergy.
27. An Act for the Grant of Three entire Subsidies, and Six Fifteens and Tenths, granted by the Temporality.
28. An Act for the Queen's Majesty's most gracious, general and free Pardon.

PRIVATE ACTS.

Anno tricesimo nono Regina Elizabethæ.

1. AN Act concerning a Lease of great yearly Value, procured to be passed from Her Majesty by *William Kirkham* the younger.
2. An Act that the Lord *Mounjoye* may dispose of his Lands whereof he is Tenant in Tail, as other Tenants in Tail by the Laws of the Realm may do; a private Statute 27 H. 8. notwithstanding.
3. An Act for Ratification of the Hospital of Queen *Elizabeth* in *Bristol*, for the better Relief of the Poor Orphans there.
4. An Act for the establishing of the new College at *Cobham*, for the Poor in the County of *Kent*.
5. An Act for the Confirmation and better Assurance of certain Manors, Lands, &c. given or intended to an Hospital or *Meaon* *Dia* in *Warwick*, founded by the late Earl of *Leicester*.
6. An Act for the Naturalizing of *Hanybal Baskerville*, *William Lewkener*, *Ottowell Hill*, *John Heather*, *William Heather*, *Helene Bemys* and *George Sheppey*.
7. An Act for Confirmation of the Jointure of *Christian Lady Sanders*, Wife of *William Lord Sanders*.
8. An Act for establishing the Town Lands of *Wanting* in the County of *Berks*, to the Relief of the Poor.
9. An Act for *Arthur Hatch*, Her Majesty's Ward, for his enjoying of the Rectory or Parsonage of *Southmoulton* in the County of *Devon* for certain Years.
10. An Act for Confirmation of the Jointure of the Lady *Varney*, Wife of Sir *Edmund Varney*, Knight.
11. An Act for the better Maintenance and well keeping of *Staines Bridge*. [*Repealed*, 31 G. 3. c. 84.].
12. An Act for the establishing of the Lands given by *John Bedford's* Will to the perpetual Repair of Highways at *Ailsbury*.
13. An Act concerning the School at *Sevenocks* in the County of *Kent*. [*See* 8 G. 1. c. 31.]

14. An Act for establishing the Possessions of Sir *Henry Unton*, Knight, lately deceased, and for Payment of his Debts.
 15. An Act for establishing of a Jointure to *Anne Lady Wentworth*, now Wife of *William Pope*, Esquire, and for the better enabling of the said *William Pope* to sell certain of his Lands, for Payment of his Debts.
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PUBLIC ACTS.

Anno quadragesimo tertio Regina Elizabethæ.

1. **A**N Act for Confirmation of Grants made to the Queen's Majesty, and of Letters Patents made by Her Highness to others.
2. An Act for the Relief of the Poor.
3. An Act for the necessary Relief of Soldiers and Mariners.
4. An Act to redress the Misemployment of Lands, Goods and Stocks of Money heretofore given to charitable Uses.
5. An Act to prevent Perjury, and Subornation of Perjury, and unnecessary Expences in Suits of Law.
6. An Act to avoid trifling and frivolous Suits in Law in Her Majesty's Courts at *Westminster*.
7. An Act to avoid and prevent divers Misdemeanors in lewd and idle Persons.
8. An Act against fraudulent Administration of Intestate's Goods.
9. An Act for Continuance of divers Statutes, and for Repeal of some others.
10. An Act for the true Working and Making of Woollen Cloth.
11. An Act for the Recovery of many hundred thousand Acres of Marshes and other Grounds subject commonly to surrounding, within the Isle of *Ely*, and the Counties of *Cambridge*, *Huntingdon*, *Northampton*, *Lincoln*, *Norfolk*, *Suffolk*, *Sussex*, *Essex*, *Kent* and the County Palatine of *Durham*.
12. An Act concerning Matters of Assurances amongst Merchants.
13. An Act for the more peaceable Government of the Parts of *Cumberland*, *Northumberland*, *Westmorland* and the Bishoprick of *Durham*.
14. An Act concerning the Assize of Fuel.
15. An Act for the levying of Fines with Proclamations of Lands within the County of the City of *Chester*.
16. An Act for the re-edifying, repairing and maintaining of Two Bridges over the River of *Eden*, near the City of *Carlisle*, in *Cumberland*.
17. An Act for the Confirmation of the Subsidies granted by the Clergy.
18. An Act for the Grant of Four entire Subsidies, and Eight Fifteens and Tenths, granted by the Temporality.
19. An Act for the Queen's Majesty's most gracious, general and free Pardon.

PRIVATE ACTS.

Anno quadragesimo tertio Regine Elizabethæ.

1. **A**N ACT for the Perfecting of the Jointure of the Lady *Bridgett Countess of Suffex*, Wife of *Robert Earl of Suffex*.
2. An ACT for the Assuring of certain Manors and Lands, for Part of a Jointure of *Lucy Countess of Bedford*.
3. An ACT for the Denization of *William Myllet*, *Anne Pope*, *George Chaundeler*, *Peter Eaton*, *Nicholas Eaton* and *Nicholas Tooley*.
4. An ACT for the Enabling of *Edward Nevill of Birling* in the County of *Kent*, and *Sir Henry Nevill*, Knight, his Son and Heir apparent, to dispose of certain Copyhold Lands, Parcel of the Manor of *Rotherfield* in *Suffex*, and *Aylesby* and *Filongly* in *Warwick*.
5. An ACT to confirm the Assurance of the Manors and Farms of *Sagbury* and *Obden*, and other Lands in the County of *Worcester*, to *Samuel Sandes*, Esquire, and *John Harris*, Gentleman.
6. An ACT for Augmentation of the Jointure of *Rachael*, the Wife of *Edward Nevill of Berling* in the County of *Kent*.
7. An ACT for the Naturalizing of *Joseph Lupo* and divers others, born beyond the Seas.
8. An ACT for the Assuring of the Patronage of the Vicarage of *Rotherston* in the County of *Chester*, and a Scholar's Room in the Cathedral Church of *Christ* in *Oxon*, &c. by the Dean and Chapter of the said Cathedral Church, to *Thomas Venables*, Esquire, and his Heirs for ever.
9. An ACT for the Ending and Appeasing of all Controversies, &c. between *Francis Kestleby*, of the one Part, and *Andrew Kestleby*, and *Jane* his Wife, on the other Part.
10. An ACT to make the Lands, Tenements and Hereditaments of *Edward Lucas*, Gentleman, deceased, Executor of the Last Will and Testament of *John Flowerdew*, Esquire, deceased, liable to the Payment of certain Legacies given by the Last Will of the said *John Flowerdew*, and to the Payment of divers other Debts owing by the said *Lucas* in his Life-time.

PUBLICK ACTS.

Anno Regni Jacobi Regis, primo.

1. **A** Most joyful and just Recognition of the immediate, lawful and undoubted Succession, Descent and Right of the Crown.
2. An ACT authorizing certain Commissioners of the Realm of *England*, to treat with Commissioners of *Scotland*, for the Weal of both Kingdoms.
3. An ACT against the Diminution of the Possessions of Archbishopsricks and Bishopricks, and for avoiding of Dilapidations of the same.
4. An ACT for the due Execution of the Statutes against Jesuits, Seminary Priests, Recusants, &c.
5. An

5. An Act to prevent the Over-charge of the People by Stewards of Court-Leets and Court-Barons.
6. An Act made for the Explanation of the Statute made in the fifth Year of the late Queen *Elizabeth's* Reign, concerning Labourers.
7. An Act for the Continuation and Explanation of the Statute made in the 39th Year of the Reign of our late Queen *Elizabeth*, intituled, *An Act for Punishment of Rogues, Vagabonds and sturdy Beggars*.
8. An Act to, take away the Benefit of Clergy for some Kind of Manslaughter.
9. An Act to restrain the inordinate Haunting and Tippling in Inns, Alehouses, and other Victualling-Houses.
10. An Act for the better Execution of Justice.
11. An Act to restrain all Persons from Marriage, until their former Wives and former Husbands be dead.
12. An Act against Conjuraton, Witchcraft, and dealing with evil and wicked Spirits.
13. An Act for new Executions to be sued against any which shall hereafter be delivered out of Execution by Privilege of Parliament, and for Discharge of them out of whose Custody such Persons shall be delivered.
14. An Act for Recovery of Small Debts, and relieving of poor Debtors in *London*.
15. An Act for the better Relief of the Creditors against such as shall become Bankrupt.
16. An Act concerning Wherry-men and Watermen.
17. An Act for the better Execution of former Laws touching the making of Hats and Felts, and for the more Restraint of unskilful and deceivable Workmanship therein used, to the Wrong of all Sorts of the People of this Realm.
18. An Act for avoiding of deceitful selling, buying or spending corrupt and unwholesome Hops.
19. An Act for the well Garbling of Spices.
20. An Act for Redress of certain Abuses and Deceits used in Painting.
21. An Act against Brokers.
22. An Act concerning Tanners, Curriers, Shoemakers, and others Artificers occupying the Cutting of Leather.
23. An Act for the better Preservation of Fishing in the Counties of *Somerset*, *Devon* and *Cornwall*, and for the Relief of Balkers, Conders and Fishermen, against malicious Suits.
24. An Act against the deceitful and false making of *Mildernis* and *Powle Davies*, whereof Sail-Cloths for the Navy and other Shipping are made.
25. An Act for continuing and reviving of divers Statutes, and for repealing of some others.
26. An Act for the Continuance and due Observation of certain Orders for the Exchequer, first set down and established by Virtue of a Privy Seal from the late Queen *Elizabeth*.
27. An Act for the better Execution of the Intent and Meaning of former Statutes, made against shooting in Guns, and for the Preservation of the Game of Pheasants and Partridges, and against the destroying of Hares with Hare-pipes, and tracing Hares in the Snow.

28. An Act for Confirmation of the King's Majesty's Charter and Letters Patents, granted to the Mayor, Bailiffs and Burgesses of the Borough of *Berwick upon Tweed*, and their Successors, and of the Franchises, Liberties, Privileges, Juridictions and Customs of the said Borough.
29. An Act to encourage the Seamen of *England* to take Fish, whereby they may increase to furnish the Navy of *England*.
30. An Act for the erecting and building of a Church in *Melcombe Regis* to be the Parish Church of *Radipoll*; and for making the old Church of *Radipoll* a Chapel belonging to the same.
31. An Act for the Charitable Relief and ordering of Persons infected with the Plague.
32. An Act for Repair of *Dover* Haven.
33. An Act of a Subsidy of Tonnage and Poundage.

PRIVATE ACTS.

Anno Regni Jacobi Regis, primo.

1. **A**N Act of Confirmation of the Jointure of the most High and Mighty Princess *Anne*, Queen of *England*, *Scotland*, *France* and *Ireland*.
2. An Act for an Assignment of certain Sums of Money for defraying of the Charges of the King's most Honourable Household.
3. An Act for Restitution of *Henry* Earl of *Southampton*.
4. An Act for the Restitution of the Son and two Daughters of *Robert* late Earl of *Effex*.
5. An Act for the Restitution of *Thomas*, only Son of *Philip* late Earl of *Arundel*.
6. An Act for the Restitution in Blood of *William Howard*, youngest Son of *Thomas* late Duke of *Norfolk*, and of the Children of the Lady *Margaret Sackville*, Daughter of the said Duke.
7. An Act for the Restitution of *William Pagett*, only Son of *Thomas* late Lord *Pagett*.
8. An Act for the Restitution of *Thomas Lucas*, Gentleman, in Blood.
9. An Act to secure *Simpson's* Debt, and save harmless the Warden of the Fleet in Sir *Thomas Sherley's* Case.
10. An Act for the Naturalizing of *Lodovick* Duke of *Lenox*, *Henry* Lord of *Obigney*, his Brother, and their Children.
11. An Act for the Naturalizing of the Right Honourable *Margaret* Countess of *Nottingham*.
12. An Act for the Naturalizing of *John* Earl of *Marre*, his Wife and Children.
13. An Act for the Naturalizing of Sir *George Howme*, Knight, Lord Treasurer of *Scotland*, his Wife and Children.
14. An Act for Confirmation of certain Letters Patents made to Sir *George Howme*, Knight, Lord Treasurer of *Scotland*.
15. An Act for the Naturalizing of Sir *Edward Bruce*, Knight, Lord of *Kinloss*, his Wife and Children, and for Confirmation of Letters Patents made to him.
16. An Act for the Naturalizing of Sir *Thomas Areskyn*, Knight, and *Alexander Areskyn* his Son, and all other the Children of the

- the said Sir *Thomas*, born in the Kingdom of *Scotland*, or where-
soever within the King's Majesty's Dominions.
17. An Act for Confirmation of Letters Patents made to the
Right Honourable *Charles* Earl of *Nottingham*, Lord Admiral
of *England*, *Thomas* Earl of *Suffolk*, Lord Chamberlain of the
King's Household, Sir *John Leveson*, and Sir *John Trevor*,
Knights, for the Use and Benefit of the Lady *Frances* Dowager
of *Kildare*, and now Wife of *Henry* late Lord *Cobham*, attainted.
 18. An Act for the Naturalizing of Dame *Mary Aston*, Wife to
Sir *Roger Aston*, Knight, and their Children.
 19. An Act for the Naturalizing of Sir *John Ramsay*, Knight.
 20. An Act for the Naturalizing of Sir *James Hay*, Knight.
 21. An Act for the Naturalizing of *John Gordon*, Dean of *Sarum*,
his Wife and Children.
 22. An Act for the Naturalizing of Sir *John Kennedy*, Knight.
 23. An Act for the Naturalizing of Sir *John Drumonde*, Knight.
 24. An Act for the Naturalizing of *Adam Newton*, Esquire.
 25. An Act for Restitution in Blood of *Thomas Littleton*, eldest
Son of *John Littleton*, late of *Frankley* in the County of *Worcester*,
Esquire, deceased, *John Littleton*, second Son of the said *John*
Littleton deceased, and *Edward Littleton*, third Son of the said
John Littleton deceased, *Bridget Littleton*, eldest Daughter of
the said *John Littleton* deceased, *Anne Littleton*, second Daughter
of the said *John Littleton*, deceased, and *Jane Littleton*, third
Daughter of the said *John Littleton* deceased.
 26. An Act for the Naturalizing of *William Browne*, *Anne Browne*,
and *Barbara Browne*, Children of Sir *William Browne*, Knight,
Lieutenant-Governor of his Majesty's Cautionarie Town of
Ulfshinge.
 27. An Act for the enabling of *Thomas Throgmorton*, Esquire, to
make Sale of certain Lands for Payment of his Debts.
 28. An Act for the Naturalizing of *Thomas Glover*, *Margaret*
Mordant, *Francis Collimore*, *Alexander Daniell*, *Nicholas Gilpin*
and *Mary Copcote*.
 29. An Act for the Sale of certain Lands of Sir *Thomas Rowe*,
Knight, for Payment of his Debts.
 30. An Act for the quiet Establishing and Settling of the Lands
and Possessions late of Sir *George Rodney*, Knight, deceased.
 31. An Act for the Assuring of certain Lands and Tenements,
to the Dean and Canons of *Windfor*, and of Assuring a Lease
of the Prebend of *Bedwin* in the County of *Wilts* to *Edward*
Earl of *Hertford*.
 32. An Act for *Henry Jernegan* the Younger, for the Sale of
the Manor of *Dagas* in *Raveningham* and *Heringfleet* alias
St. Olaves in the Counties of *Norfolk* and *Suffolk*, for the Pay-
ment of his Debts.
 33. An Act for the Jointure of the Wife of *Martin Calthrope*,
Gentleman.
 34. An Act for the Relief of *Thomas Lovell*, Esquire.
 35. An Act for Explanation of a former Act made in the
43d Year of the Reign of the late Queen *Elizabeth*, intituled,
An Act for the enabling of Edward Nevile of Birling in the
County of Kent, and Sir Henry Nevile, Knight, his Son and
Heir apparent, to dispose of certain Copyhold Lands, Parcell
of the Manor of Rotherfield in the County of Suffex, and
of

of the *Manors of Allesley and Filonley in the County of Warwick.*

36. An Act to enable *John Tebol*, Gentleman, to make his Wife a Jointure of certain of his Lands, and to sell some Part for Preferment of his younger Children.
37. An Act for the Naturalizing of *Katherine Vincent, Elizabeth Vincent, Susanna Vincent, Hester Vincent* and *Mary Vincent*.
38. An Act for the Naturalizing of *Victor Chauntrel, Peter Martin, Mentia Van Urzell*, Wife of *George Aldriche*, Esquire, *Sabina Aldriche, Edward* and *Peregrine Aldriche*, her Children.

PUBLICK ACTS.

Anno Regni Jacobi Regis, tertio.

1. **A**N Act for a Publick Thanksgiving to Almighty God every Year on the Fifth Day of *November*.
2. An Act for the Attainder of divers Offenders in the late most barbarous, monstrous, detestable and damnable Treasons.
3. An Act declaratory, explaining a Branch of an Act made in the first Session of this Parliament, intituled, *An Act authorizing certain Commissioners of the Realm of England, to treat with Commissioners of Scotland, for the Weal of both Kingdoms.*
4. An Act for the better discovering and repressing of Popish Recusants.
5. An Act to prevent and avoid Dangers which may grow by Popish Recusants.
6. An Act to enable all His Majesty's loving Subjects of *England* and *Wales*, to Trade freely into the Dominions of *Spain, Portugal* and *France*.
7. An Act to reform the Multitudes and Misdemeanors of Attornies and Solicitors at Law, and to avoid unnecessary Suits and Charges in Law.
8. An Act to avoid unnecessary Delays of Executions.
9. An Act for the Relief of such as lawfully use the Trade and Handicraft of *Skinner*s.
10. An Act for the rating and levying of the Charges for conveying Malefactors and Offenders to the Gaol.
11. An Act for Transportation of Beer over the Seas.
12. An Act for the better Preservation of Sea-fish.
13. An Act against unlawful Hunting, stealing of Deer and Conies.
14. An Act for Explanation of the Statute of Sewers.
15. An Act for the Recovering of Small Debts, and for the Relieving of poor Debtors in *London*.
16. An Act for the Repeal of one Act made in the fourteenth Year of Queen *Elizabeth's* Reign, concerning the Length of Kerfies.
17. An Act concerning *Welsh* Cottons.
18. An Act for the bringing in of a fresh Stream of running Water to the North Parts of the City of *London*.
19. An Act for Repairing of the Highway leading from *Nonfuch* to *Taleworth* in the Parishes of *Ewell* and *Long Ditton* in the County of *Surrey*, leading to *Kingston* upon *Thames* in the County aforesaid.

20. An Act for clearing the Passage by Water from *London* to and beyond the City of *Oxford*.
21. An Act to restrain Abuses of Players.
22. An Act for the Paving of *Drury Lane*, and the Town of *St. Giles's in the Fields*, within the County of *Middlesex*.
23. An Act for the new making up and keeping in Reparation of *Chepstow Bridge*.
24. An Act for the re-edifying a Bridge over the River of *Severn*, near the Town of *Upton upon Severn*.
25. An Act for a Confirmation of the Subsidies granted by the Clergy.
26. An Act for the Grant of Three intire Subsidies, and Six Fifteens and Tenths granted by the Temporality.
27. An Act for the King's most gracious, general and free Pardon.

PRIVATE ACTS.

Anno Regni Jacobi Regis, tertio.

1. **A**N Act for the Assuring of certain small Parcels of Ground to *Robert Earl of Salisbury* and his Heirs, for the Inlargement and commodious Use of his Mansion House in the *Strond*, now called *Salisbury House*, and for Recompence to be given for the same.
2. An Act for the Assurance of the Jointure of the Right Honourable *Frances Countess of Essex*, Wife of the Right Honourable *Robert Earl of Essex*.
3. An Act for the President and Scholars of *Corpus Christi College* in the University of *Oxford*.
4. An Act for the better Sale of certain Lands of *Henry late Lord Windsor* deceased, for Payment of his Debts, and better Performance of his last Will and Testament.
5. An Act for the establishing of the Possessions and Inheritance of *Edmund late Lord Chandos of Sudeley* deceased.
6. An Act to establish in the Crown the Lands and Possessions of *Henry late Lord Cobham*, and *George Brooke, Esquire*, attainted of High Treason, with a Confirmation of Grants made by His Majesty.
7. An Act for the Confirmation of certain Leases and Estates made by the Right Honourable *Robert Lord Spencer*, and by his late Father deceased, and his Mother now living.
8. An Act for the Restoring and Enabling of *Henry Lord Danvers*, as Son and Heir to *Sir John Danvers, Knight*, deceased, notwithstanding the Attainder and Corruption of Blood of *Sir Charles Danvers, Knight*, deceased, elder Brother of the said *Lord Danvers*.
9. An Act for the Confirmation of the King's Majesty's Letters Patents made to the Provost and Scholars of *Oriel College* in *Oxford*.
10. An Act for Confirmation of Letters Patents made to the Governors of the Free Grammar School at *Saint Bees*, in the County of *Cumberland*.
11. An Act to enable *Sir Christopher Hatton, Knight*, to dispose of certain Lands, Tenements and Hereditaments, notwithstanding a Limitation or Clause of Perpetuity annexed to his Estate.

12. An Act to assure and confirm the Sale of certain Lands, lying within the County of *Middlesex*, to *Thomas Lake*, Knight, and *Dame Mary*, his Wife.
13. An Act for Sale of certain Lands of *Sir Jonathan Trelowny*, Knight, deceased, for Payment of his Debts.
14. An Act for Assuring of the Jointure of *Dame Elionor Cave*, Wife of *Sir Thomas Cave* of *Standforde*, in the County of *Noribampton*, Knight.
15. An Act for enabling of *John Hotbam*, Esquire, the Father, and *John Hotbam*, his Son, to convey certain Lands for a Jointure of such Wife as *John* the Son shall marry.
16. An Act for the settling of the Manor of *Rye* in the Counties of *Gloucester* and *Worcester*, upon *William Throckmorton*, Esquire, and his Heirs, according to a Feoffment thereof made by *Charles* late Earl of *Devonshire*.
17. An Act for the more speedy Sale of certain Lands of *Sir Thomas Rowse*, Knight, for Payment of his Debts.
18. An Act for Assurance of certain Lands late *Sir John Skinner's*, Knight, to *Sir William Smith* and *Sir Michael Hikes*, Knights.
19. An Act for the Relief of *John Roger*, Gentleman, against *Robert Taylor*, *Paul Taylor* and *William Taylor*, for defrauding of a Trust reposed in *Thomas Taylor* their Father, and decreed against them in the High Court of Chancery.
20. An Act for the Assurance of the Lands of *Walter Walsh*, Esquire.
21. An Act for Sale of certain Lands of *Edward Downes*, Esquire, for Payment of his Debts.
22. An Act for the Naturalizing of *Sir David Foulis*, Knight, and for Confirmation of Letters Patents by His Most Excellent Majesty to him made.
23. An Act for the Naturalizing of the Children of *Sir Edward Conway*, Knight, Lieutenant Governor of the King's Majesty's Cautionary Town of the *Brill*.
24. An Act for the Naturalizing of *Sir James Areskyn*, Knight, his Wife and Children.
25. An Act for the Naturalizing of *Sir David Murray*, Knight, Gentleman of the Prince his Bedchamber, and *Thomas Murray*, Esquire, Schoolmaster to the Duke of *York*.
26. An Act for the Naturalizing of *Daniel Godfrey* of the Parish of *Saint Buttolphes* without *Aldgate*, Gentleman.
27. An Act for the Restitution in Blood of *John Holland*, Son of *Brian Holland*, and *Thomas Holland*, Son of the said *John Holland*.
28. An Act for Restitution of *Rowlande Mericke*, Son of *Sir Gelley Mericke*, Knight, and *Dame Margaret*, Wife of *Sir John Vaughan*, Knight, Daughter of the said *Sir Gelley*, in Blood.
29. An Act for the Performance and Execution of a Decree in the Chancery, made between *William le Gris*, Plaintiff, and *Robert Cottrel*, Defendant.

PUBLICK ACTS.

Anno Regni Jacobi Regis, quarto.

1. **A**N A&t for the utter Abolition of all Memory of Hostility, and the Dependances thereof, between *England and Scotland*, and for the Repressing of Occasions of Discord and Disorders in Time to come.
2. An A&t for the true making of Woollen Cloths.
3. An A&t to give Costs to the Defendant upon a Nonfuit of the Plaintiff, or upon a Verdict against him.
4. An A&t to restrain the Utterance of Beer and Ale to Ale-house-keepers and Tiplers not licenced.
5. An A&t for repressing the odious and loathsome Sin of Drunkenness.
6. An A&t for the Repealing of so much of one Branch of a Statute made in the first Year of His Majesty's Reign, intituled, *An A&t concerning Tanners, Curriers, Shoemakers, and other Artificers occupying the cutting of Leather*, as concerneth the sealing of Sheep-Skins, and to avoid selling of tanned Leather by Weight.
7. An A&t for the Founding and Incorporating of a Free Grammar School in the Town of *Northleech* in the County of *Gloucester*.
8. An A&t touching the drowned Marshes of *Lesnes* and *Fants* in the County of *Kent*.
9. An A&t to explain a former Act made in the last Session of this Parliament, intituled, *An A&t to enable all His Majesty's loving Subjects of England and Wales, to trade freely into the Dominions of Spain, Portugal and France*.
10. An A&t for Confirmation of some Part of a Charter granted by *K. Henry the Sixth* to the Mayor, Bailiffs and Burgessees of the Town of *Southampton*, and for Relief of the said Town.
11. An A&t for the better Provision of Meadow and Pasture, for necessary Maintenance of Husbandry and Tillage in the Manors, Lordships and Parishes of *Marden*, alias *Mawarden*, *Bodenham*, *Wellington*, *Sutton St. Michael*, *Sutton St. Nicholas*, *Murton* upon *Lug*, and the Parish of *Pipe*, and every of them, in the County of *Hereford*.
12. An A&t for Explanation of the Statute made in the third Year of the Reign of *King James*, intituled, *An A&t for the bringing in of a fresh Stream of running Water to the North Parts of the City of London*.
13. An A&t for the Draining of certain Fens and Low Grounds in the Isle of *Ely*, subject to Hurt by surrounding, containing about six thousand Acres, compassed about with certain Banks, commonly called and named the Ring of *Waldersey* and *Goldbam*.

PRIVATE ACTS.

Anno Regni Jacobi Regis, quarto.

1. **A**N A&t for the Assurance of the House of *Theobalds*, and divers Manors and other Lands, to the Queen's Majesty for Term of her Life, and of the same House, Manors and Lands, with other Manors and Lands, to the King's Most Excellent Majesty, his Heirs and Successors, and for the Assurance

- Affurance of other Manors and Lands to the Earl of *Salisbury* and his Heirs.
2. An Act for the enabling of *John Goode*, Esquire, to convey unto His Majesty a small Portion of Land during a Term of Years.
 3. An Act for the Establishment and Assurance of divers of the Possessions and Hereditaments of *Ferdinando* late Earl of *Derby*.
 4. An Act whereby *Richard Sackville*, Esquire, is enabled to make a Surrender unto the King's Majesty of the Offices of Chief Butler of *England* and *Wales*, notwithstanding his Minority of Years.
 5. An Act for the Assuring of the Advowson of the Vicarage of *Chestnut* to *Robert* Earl of *Salisbury* and his Heirs, and of the Advowson of the Rectory of *Orset* to *Richard* Bishop of *London* and his Successors.
 6. An Act for Confirmation of an Agreement betwixt *Edward* Lord *Bruce* and *Michael Doyly* and others, for the Lands late of *William Igrave* deceased.
 7. An Act for Confirmation of the King's Majesty's Letters Patents made to *Robert Batburs*, Esquire, of the Manor and Borough of *Lacblad* in the County of *Gloucester*.
 8. An Act for the Confirmation of the King's Majesty's Letters Patents made to *William Bourcher*, Esquire, of the Manor of *Bardisley* in the County of *Gloucester*.
 9. An Act for Confirmation of certain Lands to the Warden and College of the *Souls* of all faithful People deceased of *Oxon*, and of other Lands to Sir *William Smith*, Knight.
 10. An Act for securing and confirming of the Lands, Tenements and Rents heretofore granted, devised or conveyed to several Companies within the City of *London*, and to the Mayor and Commonalty and Citizens of the City of *London*.
 11. An Act for further Assurance to the Purchasers of certain Lands late Sir *Jonathan Trelawny's* Knight, deceased, appointed by Act of Parliament to be sold for Payment of his Debts.
 12. An Act for Restitution in Blood of the Sons and Daughters of *Edward Windsor*.
 13. An Act for the better enabling of *John Evelyn*, Esquire, to make Sale of certain Lands for the Payment of his Debts.
 14. An Act for the Assignment of a Jointure to such Wife as *John Thompson*, Son and Heir of *Robert Thompson* a Lunatick, shall marry, and for present Maintenance of the said *John*.
 15. An Act for the Sale of the Lands of *William Waller*, Esquire, to perform a Decree in Chancery, for the Payment of 505*l.* 10*s.* 6*d.*
 16. An Act for the Naturalizing of *John Steward*, Esquire, Brother and Heir apparent to *Patrick* Earl of *Orkney*.
 17. An Act for the Naturalizing of *Peter Baro*, alias *Barow*, Doctor of Physick, and *Mary* his Wife.
 18. An Act for the Naturalizing of *James Desmaitres* of the Parish of *St. Buttolphes* without *Aldgate*, and *Mary* his Wife.
 19. An Act for the Naturalizing of *Fabian Smith*.
 20. An Act for the Naturalizing of *John Ramfden*.

PUBLIC ACTS.

Anno Regni Jacobi Regis, septimo.

1. **A**N Act for the better Execution of Justice, and suppressing of criminal Offenders, in the North Parts of the Kingdom of *England*.

2. An Act that all such as are to be naturalized or restored in Blood, shall first receive the Sacrament of the Lord's Supper, and the Oath of Allegiance and the Oath of Supremacy.
3. An Act for the continuing and better Maintenance of Husbandry and other manual Occupations, by the true Employment of Monies given and to be given for the binding out of Apprentices.
4. An Act for the due Execution of divers Laws and Statutes heretofore made against Rogues, Vagabonds and sturdy Beggars, and other lewd and idle Persons.
5. An Act for Ease in pleading against troublesome and contentious Suits prosecuted against Justices of the Peace, Mayors, Constables, and certain other His Majesty's Officers, for the lawful Execution of their Office.
6. An Act for administering the Oath of Allegiance, and Reformation of married Women Recusants.
7. An Act for the punishing and correcting of Deceit and Frauds committed by Sorters, Kembers and Spinsters of Wool, and Weavers of Woollen Yarn.
8. An Act to enlarge an Act of Parliament made in the Second and Third Year of King *Philip* and Queen *Mary*, intituled, *An Act for keeping of milch Kine, and for the breeding and rearing of Calves.*
9. An Act for the bringing of fresh Streams of Water by Engine from *Hackney Marsh* to the City of *London*, for the Benefit of the King's College at *Chelsey*.
10. An Act for Reformation of Alehouse-keepers.
11. An Act to prevent the Spoil of Corn and Grain by untimely Hawking, and for the better Preservation of Pheasants and Partridges.
12. An Act to avoid the double Payment of Debts.
13. An Act for the Explanation of one Statute made in the second Session of this present Parliament, intituled, *An Act against unlawful Hunting and Stealing of Deer and Conies.*
14. An Act for the reviving of Part of a former Act made in the fourth Year of King *Edward* the Fourth, that no Stranger or Alien shall buy *English* Horns unwrought; and that the Wardens of the Horners of the City of *London* for the Time being, should have Power to search all manner of Wares appertaining to their Mystery in *London* and four and twenty Miles on every Side of it.
15. An Act concerning some Manner of Assignments of Debts to His Majesty.
16. An Act for the encouraging of many poor People in *Cumberland* and *Westmorland*, and in the Towns and Parishes of *Carpmeal*, *Hawkeshead* and *Broughton*, in the County of *Lancaster*, to continue a Trade of making Cogware, Kendals, Carptmeals and coarse Cottons.
17. An Act against burning of Ling and Heath, and other Moor-burning in the Counties of *York*, *Durham*, *Northumberland*, *Cumberland*, *Westmorland*, *Lancaster*, *Derby*, *Nottingham* and *Leicester*, at unreasonable Times of the Year.
18. An Act for the taking, landing and carrying of Sea-Sand for the bettering of Ground, and for the Increase of Corn and Tillage, within the Counties of *Devon* and *Cornwall*.
19. An Act for the Continuance and Reparation of a new-built Wear upon the River of *Exe*, near unto the City of *Exeter*.

20. An Act for the speedy Recovery of many thousand Acres of Marsh Ground and other Ground within the Counties of *Norfolk* and *Suffolk*, lately furrounded by the Rage of the Sea in divers Parts of the said Counties, and for the Prevention of the Danger of the like furrounding hereafter.
21. An Act for Confirmation of Decrees hereafter to be made in the Exchequer Chamber and Duchy Court, concerning Copyhold Lands and Tenements.
22. An Act for the Confirmation of a Subsidy granted by the Clergy.
23. An Act for the Grant of one entire Subsidy and one Fifteenth granted by the Temporality.
24. An Act for the King's most gracious, general and free Pardon.

PRIVATE ACTS.

Anno Regni Jacobi Regis, septimo.

1. **A**N Act for Confirmation of several Decrees made in the Court of Exchequer Chamber, and Duchy Chamber, between the King's Majesty and divers Copyholders of His Majesty's Manor of *Wakefield* in the County of *York*.
2. An Act for Confirmation of a Decree made in the Court of Exchequer Chamber, between the King's Majesty and the Copyholders of His Majesty's Manor of *Edelmeton* alias *Edmonton*, in the County of *Middlesex*.
3. An Act for the perfect Creation and Confirmation of certain Copyhold Lands in the Honour, Castle, Manor or Lordship of *Clitheroe*, or in the several Manors or Lordships of *Derby*, *Accarington*, *Colne* and *Ightenbill*, in the County of *Lancaster*.
4. An Act for the assuring and establishing of the *Isle of Man*.
[See 45 G. 3. c. 123.]
5. An Act for the Explanation of a Proviso or Branch of a Statute contained in an Act of Parliament made in the Years of the Reign of our Sovereign Lord King *James*, of *England*, *France* and *Ireland* the Fourth, and of *Scotland* the Fortieth, intituled, *An Act for the Establishment and Assurance of divers of the Possessions and Hereditaments of Ferdinando late Earl of Derby*.
6. An Act for the Assurance of certain Lands and Rent to the Bishop of *Duresme* and his Successors, and of certain other Lands to *Robert Earl of Salisbury* and his Heirs.
7. An Act for the Naturalizing of Sir *Robert Karre*, Knight.
8. An Act for the Naturalizing of Mistress *Jane Drummond*, Gentlewoman of the Queen's Majesty's Bedchamber.
9. An Act for the Sale of the Manor of *Bretts* and Farm of *Plaflowe* in the County of *Essex*, Parcel of the Possessions of *Henry Earl of Oxonford*, towards the Repurchasing of the Castle, Manor and Parks of *Henningham* in the same County, being the ancient Inheritance and chief Mansion House of the Earls of *Oxonford*.
10. An Act for the Assuring of the Farm and Demesnes of *Damerham* and other Lands in *Wiltshire*, according to His Majesty's Grant, and a former Grant made by King *Edward* the Sixth.
11. An Act for the Foundation of an Hospital, a Grammar School, and Maintenance of a Preacher, in the Town of *Thetford*,

- ford*, for ever, according to the last Will and Testament of *Richard Fulmarston*, Knight.
12. An Act for the Naturalizing of *John Murray*, *John Levingston* and *John Auchmothy*, Grooms of His Majesty's Bedchamber, and *Richard Murray*, Warden of *Manchester*.
 13. An Act for the Naturalizing of *Levinus Munke*, one of the Clerks of His Majesty's Signet.
 14. An Act for the Confirming and Establishing of a Decree made in the High Court of Chancery, for and on the Behalf of nine poor Children and Orphans of *William Elrington* and *Edward Elrington*, against *Edward Cage*, Executor of the last Will and Testament of *Rowland Elrington*, Brother of the said *Edward* and *William Elrington*, and Uncle of the said Children, and for the extending of the Lands and Goods of the said *Edward Cage*, for the speedy Execution and Performance of the said Decree, and the Payment and Satisfaction of the Sums of Money thereby decreed to the said Children.
 15. An Act for the Naturalizing of *Robert Browne*, His Majesty's Servant in Ordinary.
 16. An Act for Confirmation of certain Fines levied by *John Arundell* of *Guarnack*, Esquire, to *John Aundell* of *Trerise*, Esquire, deceased, and for settling of the Manors, Lands, Tenements and Hereditaments comprised in the said Fines, upon *John Arundell*, Esquire, and his Heirs, Son of the said *John Arundell* deceased.
 17. An Act to enable *Edward Nevill*, Lord *Bergavenny*, and Sir *Henry Nevill*, Knight, his eldest Son, to alien certain Lands, for Payment of their Debts, and Advancement of their Daughters and younger Sons, and for better Assurance of other Lands lately purchased by the said Lord from His Majesty.
 18. An Act for the Restitution in Blood of the Son and two Daughters of *George Brooke*, late attainted of High Treason.
 19. An Act for the disuniting of the Parsonages of *Ashe* and *Deane*, within the County of *Southampton*, being presentative and with the Cure of Souls.
 20. An Act for the Naturalizing of *Henry Gibb*, Groom of the Bedchamber to the most Excellent Prince *Henry* Prince of *Wales*.
 21. An Act for Sale of Part of the Lands of *William Essex* of *Lamborne* in the County of *Berks*, Esquire, for the Payment of his Debts, and settling the Residue upon himself and his Posterity.
 22. An Act for the Relief of *John Holdich*, Gentleman, disinherited by the extraordinary amending of the Errors of a Fine.
 23. An Act for the Naturalizing of Sir *George Ramsay*, Knight, Equerry of the most Excellent Prince *Henry*, *Walter Alexander*, Gentleman Usher of the said Prince *Henry*, and *John Sandilands*, Groom of the said Prince his Bedchamber.
 24. An Act for the Naturalizing of *Peter Venloore* of *Fanchurch Street*, *London*, Merchant.
 25. An Act for the securing and confirming of certain Lands and Tenements, heretofore granted, devised or conveyed to the Companies of *Salterns* and *Brewers* of *London*.
 26. An Act for the uniting and annexing of the Parsonage and decayed Parish of *Froom Whitfield*, in the County of *Dorset*, to the Parsonage and Parish of the *Holy Trinity* in *Dorchester*, in the said County.

27. An Act to confirm and enable the Erection and Establishment of an Hospital, a Free Grammar School and sundry other godly and charitable Acts and Uses, done and intended to be done and performed by *Thomas Sutton*, Esquire.
28. An Act for making void of certain Conveyances, and the Estates limited thereby, unduly gotten from *Sir Henry Crispe*, Knight, whereby he is defrauded of the Inheritance of divers Manors, Lands, Tenements and Hereditaments lying in the County of *Kent*, and for the Establishing of the Inheritance of the same in the said *Sir Henry Crispe* and his Heirs.
29. An Act for the enabling of the Assurance of certain Lands conveyed for the Portions of three of the Daughters of *John Wentworth*, Esquire, and for the Confirmation of certain other Estates for Life in other Lands, and to enable *Sir John Wentworth*, Knight, to sell certain Lands for the Payment of his Debts.
30. An Act for the enabling of *Reginald Rous* of *Badingham* in the County of *Suffolk*, Gentleman, to make Sale of the third Part of the Manor of *Badingham Hall* with the Appurtenances, and of the third Part of certain other Lands and Tenements with the Appurtenances in *Badingham*, *Tymington* and *Little Glenham*, in the said County of *Suffolk*, to *Reginald Rous* of the *Inner Temple*, *London*, Esquire, Nephew to the said *Reginald Rous* of *Badingham*.
31. An Act for the Naturalizing of *Edward Palmer* and *Henry Palmer*, Sons of *William Palmer* of *Ullisbing*, and of *Michael Boyle*, the Son of *James Boyle*, Citizen and Mercer of *London*.
32. An Act for the enabling of *Charles Waldgrave*, Esquire, to make Sale of certain Lands for the Payment of his Debts, and the Advancement of his younger Sons and Daughters.
33. An Act for the Naturalizing of *Richard Bladwell*, *John Bladwell* and *Robert Bladwell*, the Sons of *John Bladwell* an Englishman, *George Hasden* and *John Hasden* the Sons, and *Martin Hasden* the Wife of *John Hasden* an Englishman, *Elizabeth Cradock* and *Anne Cradock*, the Daughters of *William Cradock* an Englishman, *Jane* alias *Janekyn Carstens*, and *Elizabeth Van Buechton*.
34. An Act for the Confirmation of the Sale and Conveyance of divers Manors, Lordships, Liberties, and other Hereditaments, late *Henry Jarnegan's*, Esquire, made by *Sir Thomas Hirne*, Knight, *Christopher Wirne*, Gentleman, and *Clement Hirne*, Esquire, unto *Sir John Heveningham*, Knight, and Dame *Bridget* his Wife.
35. An Act for the Naturalizing of *John Mounsfy*.
36. An Act for the Naturalizing of *Johannekyn* alias *Joane Greensmith*, Daughter of *Mathew Greensmith*, Citizen and Grocer of *London*.
37. An Act for Confirmation of three several Writings indented, purporting and setting forth the Revocations of three several Conveyances or Assurances made by *Sir Robert Drury*, Knight, unto divers Persons, upon natural Considerations only.
38. An Act for the Naturalizing of *Margaret Clark*, Wife of *Robert Clark*, Gentleman.
39. An Act for the amending of a Writ of Entry whereupon a Common Recovery was had of the Inheritance of *Sir John Byron*, Knight, within the County Palatine of *Lancaster*.
40. An Act for the Naturalizing the Right Reverend Father in

God *George Montgomery*, Lord Bishop of *Derry* in *Ireland*,
Sir James Fullarton, and *Sir Hugh Montgomery*, Knight, and
Hugh and *James Montgomery*, Children of the said *Sir Hugh*
Montgomery.

41. An Act for the Naturalizing of *Martinus Schonerus*, Ordinary Physician to the Queen's Majesty, *Dorothy Seelkyn* and *Engella Seelkyn*, two Maids of the Queen's Majesty's Bed-chamber, *Katherine Benneken*, Servant to the Queen's Majesty, *John Wolfgang Rumbler*, Apothecary in Ordinary to the King and Queen's Majesty, and *Anna de Lobell* alias *Wolfgang Rumbler*, his Wife.
42. An Act to make one Writing indented, bearing Date the ninth Day of *March* in the first Year of His Majesty's Reign of *England*, made by *Christopher Smith*, Esquire, and *Millicent Smith* his Son and Heir apparent, purporting a Revocation of the Uses and Estates of the Manor of *Water Newton* in the County of *Huntingdon*, and of divers Lands, Tenements and Hereditaments in the said Writing of Revocation mentioned, to have the full Force and Power of a perfect Deed of Revocation, according to the Purport of the said Writing, and according to the true Intent and Meaning of the Parties thereunto, whereby the said *Millicent Smith* may be enabled to make Sale for the Payment of his Debts.

PUBLICK ACTS.

Anno decimo octavo Jacobi Regis.

1. AN Act for three intire Subsidies granted by the Spirituality.
2. An Act for two intire Subsidies granted by the Temporality.

PRIVATE ACT.

Anno decimo octavo Jacobi Regis.

AN Act containing the Censure given in Parliament against *Sir Gyles Mompeyson*, *Sir Francis Mitchell*, *Francis Viscount Saint Albane*, Lord Chancellor of *England*, and *Edward Flood*.

PUBLICK ACTS.

Anno Regni Jacobi Regis, vicesimo primo.

1. AN Act for the reviving and making perpetual of one Act made in the nine and thirtieth Year of the late Queen *Elizabeth*, intituled, *An Act for erecting of Hospitals, and Abiding and Working Houses for the Poor*.
2. An Act for the general Quiet of the Subject against all Pretences of Concealment whatsoever.
3. An Act concerning Monopolies and Dispensations with Penal Laws, and the Forfeitures thereof.
4. An Act for the Ease of the Subject, concerning the Informations upon Penal Statutes.
5. An Act that Sheriffs, their Heirs, Executors and Administrators, having a *Quictus est*, shall be absolutely discharged of their Accounts.

6. An

6. An Act concerning Women convicted of small Felonies.
7. An Act for the better repressing of Drunkenness, and restraining the inordinate haunting of Inns, Alehouses and other Victualling-houses.
8. An Act to prevent and punish the Abuses in procuring Process and *Superfedeas* of the Peace and good Behaviour, out of His Majesty's Courts at *Westminster*, and to prevent the Abuses in procuring Writs of *Certiorari* out of the said Courts, for the removing of Indictments found before Justices of the Peace in their General Sessions.
9. An Act for the free trade and Traffick of *Welfb* Cloths, Cottons, Frizes, Linings and Plains, in and through the Kingdom of *England* and Dominion of *Wales*.
10. An Act of Repeal of one Branch of the Statute made in the Session of Parliament holden by Prorogation at *Westminster* the two and twentieth Day of *January* in the four and thirtieth Year of the Reign of King *Henry* the Eighth, intituled, *An Act for certain Ordinances in the King's Majesty's Dominion and Principality of Wales*.
11. An Act for Confirmation of a Judgment given for His Majesty in a *Scire Facias* against *Henry Heron*, and for Declaration of the Letters Patents therein mentioned to be void.
12. An Act to enlarge and make perpetual the Act made for Ease in Pleading against troublesome and contentious Suits prosecuted against Justices of the Peace, Mayors, Constables and certain others His Majesty's Officers, for the lawful Execution of their Office, made in the Seventh Year of His Majesty's most happy Reign.
13. An Act for the further Reformation of Jeofails.
14. An Act to admit the Subject to plead the General Issue in Informations of Intrusion brought on the Behalf of The King's Majesty, and retain his Possession till Trial.
15. An Act to enable Judges and Justices of the Peace, to give Restitution of Possession in certain Cases.
16. An Act for Limitation of Actions, and for avoiding of Suits in Law.
17. An Act against Usury.
18. An Act for Continuance of a former Act made in the Fourth Year of The King's Majesty's Reign of *England*, &c. intituled, *An Act for the true making of Woollen Cloths*, and for some Additions and Alterations in and to the same.
19. An Act for the further Description of a Bankrupt, and Relief of Creditors against such as shall become Bankrupts, and for inflicting of Corporal Punishment upon the Bankrupts in some special Cases.
20. An Act against Swearing and Cursing.
21. An Act concerning Hostlers or Innholders.
22. An Act for the Explanation of the Statutes made in the third, fourth and fifth Years of King *Edward* the Sixth, concerning the Traders of Butter and Cheese.
23. An Act for avoiding of vexatious Delays, caused by removing Actions and Suits out of inferior Courts.
24. An Act for the Relief of Creditors against such Persons as die in Execution.
25. An Act for the Relief of Patentees, Tenants and Farmers of Crown Lands and Duchy Lands, or of Lands within the Survey of the Court of Wards and Liveries, in Cases of Forfeiture

feiture for not Payment of their Rents, or other Service or Duty.

26. An Act against such as shall levy any Fine, suffer any Recovery, knowledge any Statute, Recognizance, Bail or Judgment, in the Name of any other Person or Persons not being privy and consenting thereto.

✓ 27. An Act to prevent the destroying and murdering of Bastard Children.

28. An Act for continuing and reviving of divers Statutes and Repeal of divers others.

29. An Act to enable the most excellent Prince *Charles*, to make Leases of Lands, Parcel of his Highness Duchy of *Cornwall*, or annexed to the same.

30. An Act for the assuring of a Messuage, called *Tork House*, and of other Tenements belonging to the Archbishop of *Tork*, to the King's Majesty, and of the Manors and other Lands in the County of *Tork*, to *Toby*, Archbishop of *Tork*, and his Successors.

31. An Act for the good Order and Government of the Makers of Knives, Sickles, Sheers, Scissors and other Cutlery Wares in *Hallamshire* in the County of *Tork*, and the Parts near adjoining.

32. An Act for the making of the River of *Thames* navigable for Barges, Boats and Lighters, from the Village of *Bercot*, in the County of *Oxon*, unto the University and City of *Oxon*.

33. An Act for four intire Subsidies granted by the Spirituality.

34. An Act for three intire Subsidies, and three Fifteenths and Tenths granted by the Temporality.

35. An Act for the King's free and general Pardon.

PRIVATE ACTS.

Anno Regni Jacobi Regis, vicesimo primo.

1. AN Act for the Confirmation of *Wadham College* in *Oxford*, and the Possessions thereof.

2. An Act for the Naturalizing of *Philip Burlemacchi* of *London*, Merchant.

3. An Act for the Naturalizing of *Giles Vandeput* of *London*, Merchant.

4. An Act to enable *William Earl of Hertford*, and *Sir Francis Seymour*, Knight, Brother of the said Earl, to convey certain Lands for Payment of his Debts, and for establishing of other Lands in lieu thereof, and of better Value.

5. An Act for the Naturalizing *Sir Robert Anstotter*, Knight, one of the Gentlemen of His Majesty's Privy Chamber, *Sir George Abercromby*, Knight, late Gentleman of the Robes to the late Queen *Anne* of worthy Memory, and *John Cragge*, Doctor of Physick, Physician to the High and Mighty Prince *Charles*, Your Majesty's dearest Son.

6. An Act for Confirmation of the Copyhold Estates and Customs of divers Copyholders of the Manors of *Stepney* and *Hackney*, according to certain Indentures of Agreement, and a Decree in the High Court of Chancery, made between the Lord of the said Manors and the Copyholders.

7. An Act for Confirmation of the Assurance of certain Lands sold by *Sir Thomas Beaumont*, Knight and Baronet, Lord Viscount

- count *Beaumont* of *Swoords* in the Kingdom of *Ireland*, and Dame *Elizabeth* his Wife, unto Sir *Thomas Cheeke*, Knight.
8. An Act for erecting a Free School, an Alma-houfe, and an House of Correction, within the County of *Lincoln*.
 9. An Act to enable *Martin Calthorpe*, Esquire, to make Sale of certain Lands for Preferment of his younger Children, and Payment of his Debts.
 10. An Act for the settling and affuring of the Manor of *Goodneston*, and other Lands of Sir *Edward Engbam*, Knight.
 11. An Act for the Naturalizing of *Elizabeth Veere* and *Mary Veere*, Daughters of Sir *Horace Veere*, Knight.
 12. An Act to enable Dame *Alice Dudley*, Wife of Sir *Robert Dudley*, Knight, to assure her Estate in the Manor of *Killingworth*, and other Lands in the County of *Warwick*, for valuable Consideration, to the Prince's Highness and his Heirs.
 13. An Act for Confirmation of an Exchange of Lands between the most Excellent Prince *Charles* and Sir *Lewis Watson*, Knight and Baronet.
 14. An Act for the Settling of certain Manors and Lands of the Right Honourable *Anthony* Viscount *Montague*, towards the Payment of his Debts and raising of his Daughters Portions.
 15. An Act to enable Sir *Richard Lumley*, Knight, to sell divers Manors and Lands for the Payment of his Debts, and Preferment of his younger Children.
 16. An Act for the Confirmation of a Decree in Chancery, made by the Consent of the Lord of the Manor of *Painswick* in the County of *Gloucester*, and the Customary Tenants of the same Manor.
 17. An Act for the Naturalizing of Sir *Francis Stewart*, Knight, *Walter Stewart*, *James Maxwell*, *William Carr* and *James Levingston*, Esquires.
 18. An Act for the Naturalizing of *John Younge* Doctor of Divinity, and Dean of the Cathedral Church of *Winchester*.
 19. An Act to enable and make good a Conveyance and Assurance made of the Manor of *Little Munden* in the County of *Hertford* by Sir *Peter Vanlore*, Knight, Sir *Charles Caesar*, Knight, and Dame *Anne* his Wife, to *Edmund Woodball*, Esquire, and his Heirs; and to establish the said Manor upon the said *Edmund Woodball* and his Heirs, according to the said Conveyance.
 20. An Act for the Naturalizing of *Jane Murrey*, Widow, and *William Murrey*, Esquire.
 21. An Act to enable *Vincent Lowe* of *Derby* in the County of *Derby*, Esquire, to sell Part of his Lands for the Payment of his Debts.
 22. An Act to enable *Tobie Pallavicine*, Esquire, to sell certain Lands for the Payment of his Debts and Preferment of his younger Children.
 23. An Act for Naturalizing of Sir *Robert Carre*, Knight.
 24. An Act for the confirming and assuring of the Manor of *Newlangport* and *Sevans* alias *Sephans* with their Appurtenances, and divers other Lands, Tenements and Hereditaments in the County of *Kent*, late being the Inheritance of Sir *Henry James*, Knight, in a *Premunire* convicted, unto *Martin Lumley*, now the Mayor of the City of *London*, *Alice Woodroose*,

roose, Widow, and *Edward Cropley*, and their Heirs and Assigns for ever.

25. An Act for the Naturalizing of Sir *Stephen Leifure*, Knight.
26. An Act for the Naturalizing of *James Marquis of Hamilton*.
27. An Act for the Naturalizing of Sir *William Anstrother*, Knight, Doctor *Belcanquall*, and *Patrick Abercromy*.
28. An Act for the confirming the Sale of certain Land sold by Sir *Edward Heron*, Knight, unto *Bevell Moulesworth*, Esquire, and enabling the said Sir *Edward Heron* to make Sale of other Lands for Payment of Debts, and settling of certain Manors, Salt Marshes and other Lands upon *Robert Heron* and *Edward Heron*, in Recompence of the same.
29. An Act for the Naturalizing of *Abigall Little* Wife of *Geoffrey Little*, and of *William Little* Son of the said *Abigall* by the said *Geoffrey Little* her Husband.
30. An Act for establishing of some Manors and other Lands in the severall Counties of *Cornwall*, *Devon* and *Dorsett*, on *John Mohun*, Esquire, Son and Heir apparent of Sir *Reynold Mohun*, Knight and Baronet, according to the true Intent and Meaning of certain Agreements between them had and made.
31. An Act for the enabling of the Sale of the Manor of *Rampton* in the County of *Cambridge*, and of divers Lands and Tenements in *Rampton*, *Wivellingham* and *Cottingham* in the same County, now or late the Freehold or Inheritance of *Edward Alcocke*, Esquire.
32. An Act of Explanation of a former Act made in the three and twentieth Year of the Reign of the late Queen of famous Memory *Elizabeth*, intituled, *An Act for Assurance of the yearly Rent of eighty two Pounds and ten Shillings to the Bishop of Coventry and Litchfield and his Successors for ever, out of certain Manors, Lands, Tenements and Hereditaments thereby assured to Edward Fisher, Esquire, and his Heirs*.
33. An Act for the establishing of three Lectures in Divinity, according to the last Will and Testament of *Thomas Whetenhall*, Esquire.
34. An Act for the repairing and maintaining of the Haven, River and Channell running unto the Borough and Town of *Colchester* in the County of *Essex*, and also for the Paving of the said Town.
35. An Act to enable Sir *Francis Clerke*, Knight, to make Sale of certain Lands, Tenements and Hereditaments, for the Payment of his Debts, and providing of Portions for his younger Children.
36. An Act for the altering of the Tenure and Custom of the Lands late of *Thomas Potter*, Esquire, and the Lands of Sir *George Rivers*, Knight, and Sir *John Rivers*, Baronet, lying all in the County of *Kent*, and being now of the Nature of Gavelkind, and to make them descendible according to the Course of the Common Law, and to settle the Inheritance of them upon the said Sir *John Rivers*, and the Heirs of the said Sir *John Rivers* and Dame *Dorothy* his Wife.
37. An Act to make the Lands of *Lionell* Earl of *Middlesex* subject to the Payment of his Debts, &c.
38. An Act for the Sale of the Manor of *Abbots Hall* in the County of *Essex*, late Part of the Possessions of Sir *James Pointz*, Knight,

Knight, deceased, to the Intent that the Money raised thereby may be distributed among the Creditors of the said Sir *James Pointz*, according to the Direction and Intention of the said Sir *James Pointz* by his last Will and Testament.

PUBLICK ACTS.

Anno Regni Caroli Regis, primo.

1. **A**N A^Ct for punishing of divers Abuses committed on the Lord's Day, called *Sunday*.
2. An A^Ct to enable the King to make Leases of Lands, Parcel of His Highness Duchy of *Cornwall*, or annexed to the same.
3. An A^Ct for the Ease in obtaining of Licences of Alienation, and in the Pleading of Alienations with Licence, or of Pardons of Alienations without Licence, in the Court of Exchequer and elsewhere.
4. An A^Ct for the further Restraint of Tipling in Inns, Alehouses and other Victualling-houses.
5. An A^Ct for the Confirmation of Subsidies granted by the Clergy.
6. An A^Ct for entire Subsidies granted by the Temporality.
7. An A^Ct that this Session of Parliament shall not determine by His Majesty's Royal Assent to this and some other Acts,

PRIVATE ACTS.

Anno Regni Caroli Regis, primo.

1. **A**N A^Ct for the Settling and Confirmation of Copyhold Estates and Customs of the Tenants in base Tenure of the Manor of *Cheltenham* in the County of *Gloucester*, and of the Manor of *Ashley*, otherwise called *Charleton Kings* in the said County, being holden of the said Manor of *Cheltenham*, according to an Agreement thereof made between the King's most Excellent Majesty, being then Prince of *Wales*, Duke of *Cornwall* and of *York*, and Earl of *Chester*, Lord of the said Manor of *Cheltenham*, and *Giles Grevill* Esquire, Lord of the said Manor of *Ashley*, and the said Copyholders of the said several Manors.
2. An A^Ct for the Enabling and Confirmation of an Agreement or Composition made between the King's Majesty's Commissioners of Revenue, His Majesty being then Prince of *Wales*, Duke of *Cornwall* and Earl of *Chester*, on His Majesty's Behalf, and His Majesty's Copyholders of His Highness Manor of *Macclesfield* in the County of *Chester*, and of a Decree made in the Court of Exchequer at *Chester*, for the perfect Creation and Confirmation of certain Lands and Tenements, Parcel of the said Manor, to be Copyhold and Customary Lands, according to the Tenor of the same Decree.

PUBLICK ACTS.

Anno Regni Caroli Regis, tertio.

The Petition exhibited to His Majesty by the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, concerning

concerning divers Rights and Liberties of the Subjects, with the King's Majesty's Royal Answer thereunto in full Parliament.

1. **A**N A&t for the further Reformation of sundry Abuses committed on the Lord's Day, commonly called *Sunday*.
2. An A&t to restrain the passing or sending of any to be Popishly bred beyond the Seas.
3. An A&t for the better suppressing of unlicenced Alehouse-keepers.
4. An A&t for Continuance and Repeal of divers Statutes.
5. An A&t for the establishing of the Estates of the Tenants of *Bromfield* and *Tale* in the County of *Denbigh*, and of the Tenures, Rents and Services thereupon reserved according to the late Composition made for the same with the King's most excellent Majesty, then Prince of *Wales*.
6. An A&t for the Confirmation of the Subsidies granted by the Clergy.
7. An A&t for the Grant of five entire Subsidies granted by the Temporality.

PRIVATE ACTS.

Anno Regni Caroli Regis, tertio.

1. **A**N A&t for the establishing and confirming of the Foundation of the Hospital of King *James*, founded in *Charterhouse* in the County of *Middlesex*, at the humble Petition and only Coſts and Charges of *Thomas Sutton*, Esquire, and of the Possessions thereof.
2. An A&t for Assurance of a Jointure to Dame *Frances* Wife of Sir *Thomas Nevill*, Knight, Son and Heir apparent of Sir *Henry Nevill*, Knight, Lord *Abergavenny*; and to enable the same Lord and Sir *Thomas* to sell certain Lands for Payment of their Debts, and Preferment of their younger Children.
3. An A&t concerning the Inheritance, Freehold and Possessions of *William* Earl of *Devon*.
4. An A&t concerning the Title, Name and Dignity of Earl of *Arundell*, and for the annexing of the Castle, Honour, Manor and Lordship of *Arundell* in the County of *Suffex*, with the Titles and Dignities of the Baronies of *Fitzallen*, *Clun* and *Oswaldestre*, and *Matravers*, and with divers other Lands, Tenements and Hereditaments hereafter in this Act mentioned, being now Parcel of the Possessions of *Thomas* Earl of *Arundell* and *Surrey* Earl Marshall of *England*, to the same Title, Name and Dignity of Earl of *Arundell*. [See 41 G. 3. (U.K.) c. xv.]
5. An A&t for the enabling of the Right Honourable *Dutton* Lord *Gerard* Baron of *Gerards Bromley*, to make a Jointure to any Wife which he shall hereafter marry, and to make Provision for any his younger Children, and for the better securing of Portions and Limitation of Maintenance for *Alice Gerard*, *Frances Gerard* and *Elizabeth Gerard*, Sisters of the said *Dutton* Lord *Gerard*, and Daughters of the late Right Honourable *Gilbert* Lord *Gerard* deceased.
6. An A&t for the Confirmation of Letters Patents made by our late Sovereign Lord King *James* to *John* Earl of *Bristol*, by the Name of *John Digby*, Knight.

7. An Act for Re-estating certain Manors, Lands and Tenements in the County of *Somerset*, late of *William Morgan* of *Penrose* in the County of *Monmouth*, Esquire, and discharging the Trust concerning them.
8. An Act for the Naturalizing of *Sir Robert Dyell*, Knight, one of the Gentlemen of His Majesty's Privy Chamber, and *George Kerke*, Esquire, one of the Grooms of His Majesty's Bed-chamber.
9. An Act for the Naturalizing of *Sir Daniell Deligne* of *Harlaston* in the County of *Lincoln*, Knight.
10. An Act for the Naturalizing of *Isaac Asteley*, *Henry Asteley*, *Thomas Asteley* and *Bernard Asteley*, Children and Sons of *Sir Jacob Asteley*, Knight, one of the younger Sons of *Isaac Asteley*, late of *Melton Constable* in the County of *Norfolk*, Esquire, deceased.
11. An Act for the Naturalizing of *Sir Robert Ayton*, Knight.
12. An Act for the Naturalizing of *Samuel Powell*, born at *Hanborough* in the Parts beyond the Seas, of *English* Parents.
13. An Act for the Amendment of a Word casually mistaken and miswritten in an Act of Parliament made in the Session of Parliament holden at *Westminster* the nineteenth Day of *February* in the one and twentieth Year of the Reign of our late Sovereign Lord King *James* of *England*, intituled, *An Act to enable Vincent Lowe of Denbigh, in the County of Derby, Esquire, to sell Part of his Lands for Payment of his Debts.*
14. An Act for the Naturalizing of *Alexander Levingston*, Gentleman.
15. An Act for the Naturalizing of *James Freefe* born in *Russia*.
16. An Act for Restitution in Blood of *Carew Raleigh*, Son of *Sir Walter Raleigh* late attainted of High Treason; and for Confirmation of certain Letters Patents made by our late Sovereign Lord King *James* to *John* Earl of *Bristol*, by the Name of *John Digby*, Knight.
17. An Act for the Naturalizing of *John Aldersey*, *Mary Aldersey*, now the Wife of *Robert Crane*, *Anne Aldersey*, *Elizabeth Aldersey* and *Margaret Aldersey*, Children of *Samuel Aldersey* of the City of *London*, Esquire.
18. An Act for the perfect Settling and Confirmation of the Estates and Customs of the Customary Tenants of the Right Honourable *Henry* now Lord *Morley* and Lord *Mounteagle*, Baron of *Rye*, within the Manor of *Horneby* and elsewhere within the Townships of *Tatham*, *Gressingham* and *Esstrigg* in the County Palatine of *Lancaster*.
19. An Act for the Naturalizing of *John Trumball* and *Ann Trumball*, Children of *William Trumball*, Esquire, and of *William Bere*, *Edward Bere* and *Sidney Bere*, Sons of *John Bere*, Esquire, and of *Samuel Wentworth* Son of *William Wentworth* of *Dover*, Merchant.

PUBLICK ACTS.

Anno Regni Caroli Regis, decimo sexto.

1. AN Act for the preventing of Inconveniences happening by the long Intermision of Parliament.
2. An Act for Relief of His Majesty's Army, and the northern Parts of the Kingdom.

3. An Act for the reforming of some Things mistaken in the late Act made this present Parliament, for the granting of four Subsidies, intituled, *An Act for the Relief of His Majesty's Army, and the Northern Parts of this Kingdom*, and to make good the Acts of the Commissioners and other Officers by them authorized or appointed, and to be authorized or appointed.
4. An Act for the further Relief of His Majesty's Army, and the Northern Parts of the Kingdom.
5. An Act for the better raising and levying of Mariners, Sailors and others, for the present Guarding of the Seas, and necessary Defence of the Realm.
6. An Act concerning the Limitation and Abbreviation of *Michaelmas* Term.
7. An Act to prevent Inconveniences which may happen by the untimely adjourning, proroguing or dissolving of this present Parliament.
8. A Subsidy granted to the King of Tonnage, Poundage and other Sums of Money payable upon Merchandize exported and imported.
9. An Act for the speedy Provision of Money for Disbanding the Armies, and settling the Peace of the two Kingdoms of *England* and *Scotland*.
10. An Act for the regulating of the Privy Council, and for taking away the Court commonly called the *Star Chamber*.
11. An Act for a Repeal of a Branch of a Statute *primo Elizabethæ* concerning Commissioners for Causes Ecclesiastical.
12. A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported.
13. An Act for the securing of such Monies as are or shall be due to the Inhabitants of the County of *York*, and the other adjoining Counties, wherein His Majesty's Army is or hath been billeted, for the Billet of the Soldiers of the said Army, as also to certain Officers of the said Army who do forbear part of their Pay according to an Order in that Behalf made in the Commons House of Parliament this present Session, for such Part of their Pay as they shall so forbear.
14. An Act for the declaring unlawful and void the late Proceedings touching Ship-Money, and for the vacating all Records and Procefs concerning the same.
15. An Act against divers Incroachments and Oppressions in the *Stannary Courts*.
16. An Act for the Certainty of Forests, and of the Meers, Meets, Limits and Bounds of the Forests.
17. An Act for the Pacification between *England* and *Scotland*.
18. An Act for securing by publick Faith, the Remainder of the Friendly Assistance and Relief promised to our Brethren of *Scotland*.
19. An Act for the better ordering and regulating of the Office of Clerk of the Market, allowed and confirmed by this Statute; and for the Reformation of false Weights and Measures.
20. An Act for the Prevention of vexatious Proceedings touching the Order of Knighthood.
21. An Act for the free bringing in of Gunpowder and Salt-petre from foreign Parts, and for the free making of Gunpowder in this Realm.

22. A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money, payable upon Merchandize exported and imported.
23. An Act for the better raising and levying of Mariners, Sailors and others for the present Guarding of the Seas and necessary Defence of the Realm and other His Majesty's Dominions.
24. An Act to relieve Captives taken by *Turkish, Moorish* and other Pirates, and to prevent the taking of others in time to come.
25. A Subsidy granted to the King of Tonnage, Poundage and other Sums of Money payable upon Merchandize exported and imported.
26. An Act for the better raising and levying of Mariners, Sailors and others for the present Guarding the Seas and necessary Defence of the Realm and other His Majesty's Kingdoms.
27. An Act for disenabling all Persons in Holy Orders to exercise any Temporal Jurisdiction or Authority.
28. An Act for the raising of Soldiers for the Defence of *England and Ireland*.
29. A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported.
30. An Act for a speedy Contribution and Loan towards the Relief of His Majesty's distressed Subjects of the Kingdom of *Ireland*.
31. A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported.
32. An Act for the raising and levying of Monies for the necessary Defence, and great Affairs of the Kingdoms of *England and Ireland*, and for the Payment of Debts undertaken by the Parliament.
33. An Act for the speedy and effectual reducing of the Rebels in His Majesty's Kingdom of *Ireland* to their due Obedience to His Majesty and the Crown of *England*.
34. An Act adding unto and explaining of certain Clauses in another Act made this Parliament, intituled, *An Act for the speedy and effectual reducing of the Rebels in His Majesty's Kingdom of Ireland to their due Obedience to His Majesty and the Crown of England*.
35. An Act to enable Corporations and Bodies Politick to participate of the Benefit of an Act lately passed, intituled, *An Act for the speedy and effectual reducing of the Rebels in His Majesty's Kingdom of Ireland to their due Obedience to His Majesty and the Crown of England*.
36. A Subsidy granted to the King of Tonnage, Poundage and other Sums of Money payable upon Merchandize exported and imported.
37. An Act for the Advancement of an effectual and speedy Reduction of the Rebels in *Ireland* to the Obedience of His Majesty and the Crown of *England*.

PRIVATE ACTS.

Anno Regni Caroli Regis, decimo sexto.

1. **A**N Act for the Attainder of *Thomas Earl of Strafford* of High Treason.
2. An Act to enable the Marquis of *Winchester* to grant Estates for three Lives or one and twenty Years, &c. of Lands in the County of *Southampton*, &c. reserving the old Rents.
3. An Act for Naturalizing of *Dorothy Spencer*, Daughter of *Henry Lord Spencer* Baron *Spencer* of *Wormleighton*.
4. An Act for the enabling of the Sale and Leasing of Lands for Payment of the Debts of *Thomas* late Earl of *Winchelsea*.
5. An Act for the Settling and Estating upon the Right Honourable the Lady *Elizabeth* Countess Dowager of *Exeter*, her Heirs and Assigns for ever, the Scite of the Hospital of *Saint Leonard's* without the Town of *Newarke* upon *Trent* in the County of *Nottingham*, with the Dwelling-house and other Buildings thereupon built, and of certain Closes and Grounds Parcel of the Possessions of the said Hospital, and for the annexing of divers Lands and Tenements of better Value, being the Inheritance of the said Countess, unto the Possessions of the said Hospital for ever, in lieu of the same.
6. An Act for the making of the Chapel of *Hoole* in the County of *Lancaster* a Parish Church, and no Part of the Parish of *Crofton*.
7. An Act for *John Eggar's* Free School within the Parish of *Alton* in the County of *Southampton*.
8. An Act for the settling of certain Manors, Lands, Tenements and Hereditaments on *Katherine* Countess Dowager of *Bedford*, *William* now Earl of *Bedford*, *John Russell* and *Edward Russell*, Esquires, Sons of *Francis* Earl of *Bedford* deceased.
9. An Act for the Confirmation of His Majesty's Letters Patents to the Town of *Plymouth*, and for dividing the Parish, and building of a new Church there.
10. An Act for the Alteration of the Estate and Tenure of some Lands within the Parish of *Fulham* in the County of *Middlesex*, held of the Lord Bishop of *London* as of his Manor of *Fulham*.
11. An Act to settle the Manor of *Belgrave* and other Lands in the County of *Leicester* to and upon *William Byerley*, Esquire, his Heirs and Assigns, for and towards Payment of the Debts of *William Davenport*, Esquire, deceased.
12. An Act to enable Sir *Alexander Denton*, Knight, to sell the Manor of *Great Barvard* alias *Barford Saint Michael*, and other Lands in this present Act mentioned, for the Payment of his Debts and Preferment of his younger Children.
13. An Act for the assuring of a Messuage called *Duresme House* alias *Durham House*, and certain Stables, Part of the Possessions of the Bishop of *Durham*, situate in the Parish of *Saint Martin* in the Fields in the County of *Middlesex*, unto the Right Honourable *Philip* Earl of *Pembroke* and *Mountgomerie* and his Heirs, and of a yearly Rent of Two hundred Pounds *per Annum* to the said Bishop of *Durham* and his Successors in lieu thereof.

THE STATUTES AT LARGE.

Anno primo MARIE, Sessio Prima. (A.D. 1553.)

STATUTES made in the Parliament begun and holden at Westminster the Fifth Day of October in the First Year of the Reign of our gracious and excellent Sovereign Lady MARY, by the Grace of God, Queen of England, France and Ireland, Defender of the Faith, and of the Church of England, and also of Ireland, in Earth the Supreme Head, and there continued to the One and twentieth Day of the same Month; viz.

C A P. I.

An Act repealing certain Treasons, Felonies and *Premunire*.

FORASMUCH as the State of every King, Ruler and Governor of any Realm, Dominion or Commonalty, standeth and consisteth more assured by the Love and Favour of the Subject toward their Sovereign Ruler and Governor, than in the Dread and Fear of Laws made with rigorous Pains and extreme Punishment for not obeying of their Sovereign Ruler and Governor: And Laws also justly made for the Preservation of the Commonweal, without extreme Punishment or great Penalty, are more often for the most Part obeyed and kept, than Laws and Statutes made with great and extreme Punishments, and in special such Laws and Statutes so made, whereby not only the ignorant and rude unlearned People, but also learned and expert People, minding Honesty, are often and many Times trapped and snared, yea many Times for Words only, without other Fact or Deed done or perpetrated:

II. The Queen's most excellent Majesty, calling to Remembrance that many, as well honourable and noble Persons, as other of good Reputation within this her Grace's Realm of England, have of late (for Words only, without other Opinion, Fact or Deed) suffered shameful Death not accustomed to Nobles; Her Highness therefore of her accustomed Clemency and Mercy, minding to avoid and put away the Occasion and Cause of like Chances hereafter to ensue, trusting her loving Subjects will, for her Clemency to them shewed, love, serve, and obey her Grace the more heartily and faithfully, than for Dread or Fear of Pains of Body, is contented and pleased that the Severity of such like extreme, dangerous and painful Laws, shall be abolished, annulled and made frustrate and void.

III. Be it therefore ordained and enacted by the Queen our Sovereign Lady, with the Assent of the Bords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, That from henceforth none Act, Deed or Offence, being by Act of Parliament or Statute made,

No Treason,
Petty Treason or
Misdemeanor, but
as declared by
25 E. 3. Stat. 5.
c. 2.

Treason, Pety Treason or Misprision of Treason, by Words, Writing, CIPHERING, Deeds or otherwise whatsoever, shall be taken, had, deemed, or adjudged to be High Treason, Pety Treason or Misprision of Treason, but only such as be declared and expressed to be Treason, Pety Treason or Misprision of Treason, in or by the Act of Parliament or Statute made in the xxv. Year of the Reign of the most noble King of famous Memory, King *Edward* the Third, touching or concerning Treason or the Declarations of Treasons, and none other; nor that any Pains of Death, Penalty or Forfeiture in any wise ensue or be to any Offender or Offenders, for the Doing or Committing any Treason, Pety Treason or Misprision of Treason, other than such as be in the said Estatute made in the said xxv. Year of the Reign of the said King *Edward* the Third, ordained and provided; any Act or Acts of Parliament, Statute or Statutes, had or made at any Time heretofore, or after the said xxv. Year of the Reign of the said late King *Edward* the Third, or any other Declaration or Matter to the contrary in any wise notwithstanding.

Certain Persons
exempted out of
the Benefit of
this Statute.

IV. Provided always, and be it ordained and enacted by the Authority aforesaid, That this Act of Parliament, or any Thing therein mentioned, shall not in any wise extend to give any manner of Benefit, Advantage or Commodity to any Person or Persons, being the last Day of *September* last past, arrested or imprisoned for Treason, Pety Treason or Misprision of Treason, or to any Person or Persons heretofore being indicted of Treason, Pety Treason or Misprision of Treason, or being outlawed or attainted of Treason, Pety Treason or Misprision of Treason, before the said last Day of *September* last past, or being commanded to keep his or their House or Houses, or other Mens Houses, or otherwise excepted out of the Queen's Highness most gracious Pardon given the Day of her Coronation, but that they and every of them, for any the Offences before mentioned perpetrated, committed or done by them or any of them, before the said last Day of *September*, shall suffer such Pains of Death, Losses and Forfeitures of Lands and Goods, as in Cases of Treason, as though this Act had never been had ne made; any Thing in this Act to the contrary in any wise notwithstanding. EXP.

Offences made
Felony, or in the
Case of Premu-
nure, since 1 H.8
repealed.

V. And be it further ordained and enacted by the Authority aforesaid, That all Offences made Felony, or limited or appointed to be within the Case of *Premunire*, by any Act or Acts of Parliament, Statute or Statutes, made sithence the First Day of the First Year of the Reign of the late King of famous Memory, King *Henry* the Eighth, not being Felony before, nor within the Case of *Premunire*, and also all and every Branch, Article and Clause mentioned, or in any wise declared in any of the same Estatutes, concerning the Making of any Offence or Offences to be Felony, or within the Case of *Premunire*, not being Felony nor within the Case of *Premunire* before, and all Pains and Forfeitures concerning the same, or any of them, shall from henceforth be repealed, and utterly void and of none Effect.

[Here follow on the Roll,

An Act for the *Restitution in Blood* of the Lady Garterede Courtneys, late Wife of *Henry* Courtneys, late Lord Marquis of Exeter.

An Act for the *Restitution in Blood* of Sir *Edward* Courtneys Knight, Earl of Devon.]

Anno primo MARIE, Sessio Secunda. (A.D. 1553.)

STATUTES made in the Second and last Session of this present Parliament, holden upon Prorogation at Westminster the Four and Twentieth Day of October in the First Year of the Reign of the most excellent and gracious Sovereign Lady MARY, by the Grace of God, Queen of England, France and Ireland, Defender of the Faith, and in Earth Supreme Head of the Church of England and of Ireland, and there continued to the Dissolution of the same, being the Sixth Day of December in the said Year, viz.

[The Acts following are numbered in the Roll from the First Session.]

C A P. I.

An Act declaring the Queen's Highness to have been born in a most just and lawful Matrimony; and also repealing all Acts of Parliament, and Sentences of Divorce had and made to the contrary.

FORASMUCH as Trueth (being of her own Nature of a most excellent Vertue, Efficacy, Force and Working) cannot but by Process of Time break out and shew herselfe, howsoever for a while she may, by the Iniquity and Frailty of Man, be suppressed and kept close; and being revealed and manifested, ought to be imbraced, acknowledged, confessed and professed in all Cases and Matters whatsoever, and whomsoever they touch or concern, without Respect of Persons, but in such Cases and Matters specially, as whereby the Glory and Honour of God in Heaven (who is the Author of Trueth it selfe) is to be specially set forth, and whereby also the Honour, Dignity, Surety and Preservation of the Prince, and Ruler under God in Earth dependeth, and the Welfare, Profit and special Benefit of the universal People, and Body of a Realme is to be continued and maintained.

II. We your Highness most loving, faithful and obedient Subjects, understanding the very Trueth of the State of Matrimony between the Two most excellent Princes of most worthy Memory King Henry the Eight and Queen Katherine, his loving, godly and lawful Wife, your Highness lawful Father and Mother, cannot but think ourself most bounden, both by our Duty of Allegiance to your Majesty, and of Conscience towards God, to shew unto your Highness first how that the same Matrimony being contracted, solemnized, and consummated, by the Agreement and Assent of both their most noble Parents, by the Counsel and Advise of the most wise and gravest Men of both their Realms, by the deliberate and mature Consideration and Consent of the best and most notable Men in Learning in those

‘ Days of Christendome, did even so continue by the Space of
 ‘ Twenty Years and more between them, to the Pleasure of
 ‘ Almighty God and Satisfaction of the World, the Joy and
 ‘ Comfort of all the Subjects of this Realm, and to their own
 ‘ Repose and good Contentment, God giving for a sure Token
 ‘ and Testimony of his good Acceptation of the same, not only
 ‘ godly Fruit, your Highnesse most noble Person (whom we
 ‘ beseech the Almighty and Ever-living God long to prosper
 ‘ and preserve here amongst us) and other Issue also, whom it
 ‘ hath pleased God to take out of this transitory Life, unto his
 ‘ eternal Glory, but also sending us a happy flourishing and most
 ‘ prosperous Common Wealth in all Things; and then afterward,
 ‘ how that the malicious and perverse Affections of some (a very
 ‘ few Persons) envying the great Felicity, wherein by the Good-
 ‘ ness of God your said most noble Father and Mother, and all
 ‘ their good Subjects, lived and continued in many Yeres, did
 ‘ for their own singular Glory and vain Reputation conceive sundry
 ‘ subtil and disloyal Practises, for the Interruption and Breach of
 ‘ the said most lawful and godly Concord; and travelling to put
 ‘ the same in Ure, devised first to insinuate a Scruple into the
 ‘ King your Father’s Conscience, of an unlawful Marriage between
 ‘ him and his most lawful Wife the Queen, your Highness Mother,
 ‘ pretending for the Ground thereof, that the same was against
 ‘ the Word of God, and thereupon ceased not to perswade conti-
 ‘ nually unto the said King your Father, that he could not, with-
 ‘ out Danger of the Loss of his Soul, continue with his said most
 ‘ lawful Wife, but must be separated and divorced from her; and
 ‘ to this Intent caused the Seals, as well of certain Universities in
 ‘ *Italy* and *France*, to be gotten (as it were for a Testimony) by
 ‘ the Corruption with Moneys of a few light Persons, Scolers of
 ‘ the same Universities, as also the Seals of the Universities of
 ‘ this Realm to be obtained, by great Travell, sinister Working,
 ‘ secret Threatnings and Intreatings of some Men of Authority,
 ‘ specially sent at that Time thither for the same Purposes, and how
 ‘ that finally *Thomas Cranmer*, then newly made Archbishop of
 ‘ *Canterbury*, most ungodly and against all Lawes, Equity and
 ‘ Conscience, prosecuting the said wicked Devise of Divorſe and
 ‘ Separation of the said King your Father, and Queen your
 ‘ Mother, called before him *ex officio*, the Hearing of the said
 ‘ Matter of Marriage, and taking his Foundation partly upon his
 ‘ own unadvised Judgment of the Scripture, joyning therewith the
 ‘ pretended Testimonies of the said Universities, and partly upon
 ‘ bare and most untrue Conjectures, gathered and admitted
 ‘ by him upon Matters of no Strength or Effect, but only by
 ‘ Supposall, and without admitting or hearing any Thing that
 ‘ could be said by the Queen your Mother, or by any other
 ‘ on her Behalf, in the Absence of the said late Queen your
 ‘ Mother, proceeded, pronounced, discerned, declared and gave
 ‘ Sentence the same most lawful and undoubted Matrimony to
 ‘ be nought, and to be contracted against God’s Law, and of
 ‘ no Value, but lacking the Strength of the Law. And the said
 ‘ most noble King your Father, and the said noble Queen your
 ‘ Mother so married together, did separate and divorce, and the
 ‘ same your most noble Father King *Henry* the Eighth, and the said
 ‘ noble Queen your Mother, from the Bands of the same most
 ‘ lawful

'lawful Matrimony, did pronounce and declare by the same his
 'unlawful Sentence, to be free, discharged and set at Liberty;
 'which Sentence and Judgment so given by unlawful and corrupt
 'Means and Wayes, by the said Archbishop of Canterbury, was
 'afterwards upon certain Affections ratified and confirmed by
 'Two severall Acts, the One made in the 25. Year of the Reign of
 'the said King your Highness Father, and intituled, *An Act* 25 H. 8. c. 22.
 '*declaring the Stablisment of the Succession of the King's most royal*
 '*Majesty of the Imperial Crown of this Realm.* The other Act of
 'Parliament made in the 28. Year of the Reign of the said
 'King your Highness Father, intituled, *An Act for the Sta-* 28 H. 8. c. 7.
 '*blisment of the Succession of the Imperial Crown of the Realm.*
 'In which said Two Acts was contained the Illegitimizations
 'of your most noble Person, which your said most noble Per-
 'son being borne in so solemne a Marriage, so openly approved
 'in the World, and with so good Faith both first contracted,
 'and also by so many Years continued between your most
 'noble Parents, and the same Marriage in very Deed not being
 'prohibited by the Law of God, could not by any Reason or
 'Equity in this Case be so spotted. And now we your Highness
 'said most loving, faithful and obedient Subjects, of a godly Heart
 'and true Meaning, freely and frankly, without Fear, Fancie or
 'any other corrupt Motion or sensual Affection, considering that
 'this foresaid Marriage had his Beginning of God, and by him
 'was continued, and therefore was ever and is to be taken for a
 'most true, just, lawful, and to all Respects a sincere and perfect
 'Marriage, nor could nor ought by any Man's Power, Authority
 'or Jurisdiction, be dissolved, broken or separated (for whom God
 'joyneth, no Man can nor ought to put asunder) and considering
 'also, how during the same Marriage in godly Concord, the Realm
 'in all Degrees flourished to the Glory of God, the Honor of
 'the Prince, and the great Reputation of the Subjects of the same,
 'and on the other Side understanding manifestly that the
 'Ground of the said Devise and Practise for the Divorse
 'proceeded first of Malice and vain Glory, and after was pro-
 'secuted and followed of fond Affection and sensual Fantasie,
 'and finally executed and put in Effect by Corruption, Igno-
 'rance and Flattery; and feeling to our great Sorrow, Da-
 'mage and Regret, how shameful Ignominies, Rebukes, Slan-
 'ders, Contempts, yea, what Death, Pestilence, Wars, Disobe-
 'diances, Rebellions, Insurrections, and divers other great and
 'grievous Plagues, God of his Justice hath sent upon us, ever since
 'this said ungodly Purpose was first begun and practised, but also
 'seeing evidently before our Eyes that unless so great an Injustice
 'as this hath bin, and yet continueth, be redubbed, and that the
 'said false and wrongful Process, Judgment and Sentence, with
 'their Dependences, be repealed and revoked, nothing is left to be
 'doubted, then that greater Plagues and Strokes are like to increase
 'and continue daily more and more within this Realm, do beseech
 'your most excellent Majesty, as well in respect of your own Ho-
 'nour, Dignity and just Title, as for Truth's Sake, wherewith
 '(we doubt not) but your Highness also will be specially moved
 'in Conscience, and also for the entire Love, Favour and Affection
 'which your Majesty beareth to the Commonwealt of this your
 'Realme, and for the good Peace, Unity and Rest of us your
 'most

Sentence of
Divorce
repealed.

‘ most bounden Subjects, and our Posteritie, that it may be enacted
‘ by your Highness, with the Consent of the Lords Spiritual and
‘ Temporal, and the Commons, in this present Parliament assem-
‘ bled;’ and be it enacted by the Authority of this present Par-
liament, That all and every Decree, Sentence and Judgment of
Divorſe and Separation between the ſaid King your Father, and
the ſaid late Queen your Mother, and all the Proceſſs commenced,
followed, given, made or promulged by the ſaid *Thomas Cranmer*
then Archbiſhop of *Canterbury*, or by any other Perſon or Perſons
whatſoever, whereby the ſame moſt juſt, pure and lawful Marriage
betwixt the ſaid late King your Father and the ſaid late Queen
your Mother, was or is pronounced, or in any wiſe declared to
be unlawful, or unjuſt, or againſt the Law of God, be and ſhall
be from the Beginning, and from henceforth, of no Force, Validity
or Effect, but be utterly nought, void, fruſtrat and adnihilat, to
all Intents, Conſtructions and Purpoſes, as if the ſame had never
been given or pronounced.

25 H. 8. c. 22.
and Part of
28 H. 8. c. 7.
repealed.

III. And be it alſo enacted by the Authority aforeſaid, That
as well the ſaid Act of Parliament, intituled, *An Act declaring the*
Eſtabliſhment of the Succeſſion of the King's moſt Royal Maſteſty of the
Imperial Crown of this Realm, made in the 25. Year of the Reign
of the King your Father be repealed, and be void and of none
Effect, as alſo all and every ſuch Clauſes, Articles, Branches and
Matters contained and expreſſed in the foreſaid Act of Parliament,
made in the ſaid 28. Year of the Reign of the ſaid late King your
Father, or in any other Act or Acts of Parliament, as whereby
your Highneſs is named or declared to be illegitimate, or the ſaid
Marriage between the ſaid King your Father, and the ſaid Queen
your Mother, is declared to be againſt the Word of God, or by
any Means unlawful, ſhall be, and be repealed, and be void and
of no Force nor Effect, to all Intents, Conſtructions and Purpoſes,
as if the ſame Sentence or Acts of Parliament had never been had
nor made. And that the ſaid Marriage had and ſolemnized betwixt
your ſaid moſt noble Father King *Henry* and your ſaid moſt noble
Mother Queen *Katherine*, ſhall be diffinitively, clearly and abſolutely
declared, deemed and adjudged to be and ſtand with God's Law
and his moſt holy Word, and to be accepted, reputed and taken of
good Effect and Validity, to all Intents and Purpoſes.

Marriage of
H. 8. and Q.
Katherine valid.

C A P. II.

An Act for the Repeal of certain Statutes made in the Time
of the Reign of King *Edward* the Sixth.

“ *STAT. 1 E. 6. c. 1. 1 E. 6. c. 2. 2 E. 6. c. 1. 2 & 3 E. 6. c. 21.*
“ *3 & 4 E. 6. c. 10. 3 & 4 E. 6. c. 12. 5 & 6 E. 6. c. 1. 5 & 6*
“ *E. 6. c. 3. 5 & 6 E. 6. c. 12. repealed. All ſuch Divine Service*
“ *and Adminiſtration of Sacraments as were moſt commonly*
“ *uſed in England in the laſt Year of Hen. 8. ſhall be uſed thorow*
“ *the Realm, after the 20th Day of December, Anno Domini*
“ *1553, and no other Kind of Service nor Adminiſtration of Sa-*
“ *craments.*

[*Repealed as to Sacraments, 1 Eliz. c. 2. § 2. and wholly repealed*
1 Jac. 1. c. 25. § 48.]

C A P. III.

An Act against Offenders of Preachers and other Ministers
in the Church.

FORASMUCH as it is most necessary in every Christian Commonwealth, to provide that Tranquillity and Peace may be preserved and continued amongst the People, and specially in Holy Church, in the Time of Divine Service, and Administration of Sacraments and Sacramentals, as before this Time it hath been accustomed in Holy Church within this Realm; and that all Things being contrary thereunto, or that are, or may be in Disturbance thereof, may by Foresight be eschewed and avoided; and Remedy therefore in due Time provided, as well for the Preservation of the Queen's Highness Peace, as for an universal Quietness and Order to be used within this Realm:

II. Be it therefore enacted by the Queen our Sovereign Lady, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons of their own Power and Authority, at any Time or Times after the xx. Day of *December* next coming, do or shall willingly and of Purpose, by open and overt Word, Fact, Act or Deed, maliciously or † contemptuously molest, let, disturb, vex or trouble, or by any other unlawful Ways or Means disquiet or misuse any Preacher or Preachers that now is, or that at any Time or Times hereafter shall be, licensed, allowed or authorised to preach by the Queen's Highness, or by any Archbishop or Bishop of this Realm, or by any other lawful Ordinary, or by any of the Universities of *Oxford* and *Cambridge*, or otherwise lawfully authorised or charged by Reason of his or their Cure, Benefice, or other Spiritual Promotion or Charge, in any of his or their open Sermon, Preaching or Collation, that he or they shall make, declare, preach or pronounce in any Church, Chapel, Church-yard, or in any other Place or Places, used, frequented or appointed, or that hereafter shall be used or appointed to be preached in.

Disturbing by Word or Deed a Preacher in his Sermon.

† Sic.

III. Or if any Person or Persons after the said xx. Day of *December* next coming, shall maliciously, willingly, or of Purpose molest, let, disturb, vex, disquiet or otherwise trouble any Parson, Vicar, Parish Priest or Curate, or any lawful Priest, preparing, saying, doing, singing, ministring or celebrating the Mass, or other such Divine Service, Sacraments or Sacramentals, as was most commonly frequented and used in the last Year of the Reign of the late Sovereign Lord King *Henry* the Eighth, or that at any Time hereafter shall be allowed, set forth or authorised by the Queen's Majesty.

Molesting a Priest preparing or celebrating Mass or other Service.

IV. Or if any Person or Persons, at any Time or Times after the said xx. Day of *December*, shall contemptuously, unlawfully or † maliciously, of their own Power or Authority, pull down, deface, spoil, abuse, break or otherwise unreverently handle or order the most blessed, comfortable and holy Sacrament of the Body and Blood of our Saviour Jesus Christ, commonly called the Sacrament of the Altar, being or that shall be in any Church or Chapel, or in any other decent Place, or the Pix or Canopy wherein the same Sacrament is or shall be; or unlawfully, contemptuously or † maliciously, of their own Power and Authority, pull down, deface, spoil or otherwise break any Altar or Altars, or any Crucifix or Cross,

Abusing the Sacrament of the Body and Blood of Christ, or breaking any Altar or Crucifix.

† Sic.

that now or hereafter shall be in any Church, Chapel or Church-yard: That then every such Offender and Offenders in any the Premises, his or their Aider, Procurer or Abettor, Aiders, Procurers or Abettors, immediately and forthwith after any of the said Act or Acts, or other the said Misdemeanors so committed, done or made, or any Time or Times after, shall be apprehended, arrested and taken by any Constable or Constables, Churchwarden or Churchwardens of the said Parish, Town or Place where the said Offence or Offences shall be so committed, made or done, or by any other Officer or Officers, or by any other Person or Persons then being present at the Time of the said Offence or Offences so unlawfully committed, made or done:

Justices may
examine, and
commit Of-
fender.

V. Which Person or Persons so apprehended, taken or arrested, with convenient Speed shall be brought and carried to any Justice of Peace within the said Shire, or within any City, Borough, Liberty or Town Corporate wherein Justices of Peace be, where the said Offence or Offences shall be so committed, done and made: And that the said Justice of Peace, upon due Accusation thereupon had and made by the Apprehender or Apprehenders, or other Person or Persons, of any of the said Person or Persons so offending, forthwith shall commit the said Person or Persons so apprehended, arrested and taken, to safe Keeping and Custody, as by the Discretion of the said Justice shall be thought most meet and convenient, and that within six Days next and immediately after the said Accusation so had and made to the said Justice, the said Justice with one other Justice of Peace in the said Shire, City, Borough, Liberty or Town Corporate, shall diligently examine the Act or Acts, Offence or Offences aforesaid.

Punishment.

VI. And if they the said two Justices of Peace shall upon their said Examination find or perceive the said Person or Persons so accused guilty of any of the said Offence or Offences whereof he or they shall be so accused, and that by Two sufficient Witnesses, or by his or their own Confession or Confessions, that then and immediately with convenient Speed the said Two Justices shall commit and award the said Person or Persons so accused as is aforesaid, to the Gaol of or for the said Shire, City, Borough, Liberty or Town Corporate where the said Offence or Offences was so committed, made or done, there to remain without Bail or Mainprise, by the Space of Three Months then next ensuing, and further to the next Quarter-Sessions to be holden within the said Shire, City, Borough, Liberty or Town Corporate, next after the End of the said Three Months; at which said Quarter-Sessions, the said Person or Persons so committed to the Gaol as is aforesaid, upon his or their Reconciliation and Repentance in that Behalf before the said Justices of Peace at the said Sessions, shall be delivered and discharged out of Prison and Gaol, upon sufficient Surety of his good Abearing and Behaviour, to be then and there taken by the said Justices for One whole Year then next ensuing, as by the Discretion or Discretions of the said Justices then and there being, or of the more Part of them, shall be thought meet and convenient: And if the said Person or Persons so in Gaol as is aforesaid, will not be reconciled and repent at the said Quarter-Sessions, that then the said Person or Persons immediately in Time convenient shall be further awarded and committed to the said Gaol by the said Justices, or by the more Part of them, there to remain without Bail or Mainprise,

Mainprise, until he or they be committed and awarded to Gaol as is aforesaid, shall be reconciled, and be penitent for his or their said Offence or Offences.

VII. And be it further enacted by the Authority aforesaid, That if any Person or Persons at any Time or Times after the said xx. Day of *December*, of their own Authority and Power, willingly and unlawfully do rescue any Offender or Offenders so apprehended, taken or arrested as is aforesaid, or will disturb, hinder or let the said Offender or Offenders, so offending as is aforesaid, to be apprehended, taken or arrested, that then every one of the said Rescuers or Disturbers shall suffer like Imprisonment as is aforesaid, and further shall pay, forfeit and lose for a Fine, for every of his or their said Offences, Five Pounds to the Queen's Majesty, her Heirs and Successors.

Rescuing Offender, &c.

Penalty.

VIII. And be it further enacted by the Authority aforesaid, That if any of the Offenders aforesaid be not taken, apprehended or arrested immediately in Time convenient, as is aforesaid, but do escape or go away, that then the said Escape shall be lawfully presented before the Justices of Peace in the said Shire, City, Borough, Liberty or Town Corporate, at the next Quarter-Sessions to be holden where the said Escape was made and suffered, and that then the Inhabitants of the Parish where the said Escape was so suffered, shall forfeit and lose to the Queen's Majesty, her Heirs and Successors, for every such Escape Five Pounds, to be levied and taken as other like Amerciaments and Fines before this Time hath been levied and taken upon any Village, Hundred or Town, for the Escape of any Murderer or other Felon, for not making Pursuit upon Hue and Cry, according to the Statute of *Winchester*, and the Statute made and provided in the Third Year of the worthy King *Henry* the Seventh.

Escape of Offender.

Penalty.

IX. And be it further enacted by the Authority aforesaid, That all and singular Justices of Peace, Justices of Assize, Justices of Oyer and Determiner, and all and singular Mayors, Bailiffs and Justices of Peace within any City, Borough or Town Corporate in any Parts within this Realm, within the Limits of their Commission or Commissions, shall have full Power and Authority by Virtue of this Act, after the said xx. Day of *December*, to enquire of all and singular the Offences and Misdemeanours aforesaid, and to hear and determine the same, and to set the Fines and Amerciaments of the said Offender or Offenders as is aforesaid.

12 E. 1. Stat. Wynt. c. 1. 3 H. 7. c. 1.

What Magistrates may enquire, &c. of Offenders.

X. Provided always, and be it further enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not in any wise extend to abrogate and take away the Authority, Jurisdiction, Power and Punishments of the Ecclesiastical Laws, now standing and remaining in their Force, of or for the Punishment of any the Offences and Misdemeanours aforesaid, but that the Authority, Power, Jurisdictions and Punishments of the said Ecclesiastical Laws of and for any of the Offences and Misdemeanours aforesaid shall stand in full Power and Strength, and to be used and exercised in all and in every Thing, as though this Act had never been had and made; this present Act, or any Thing therein contained to the contrary thereof in any wise notwithstanding.

Jurisdiction of the Law Ecclesiastical saved.

XI. Provided always, and be it enacted, That whatsoever Person offending in the Premises, shall for any of the Offences aforesaid

But one Punishment for one Offence.

recited receive Punishment of the Ordinary, having a Testimonial thereof under the said Ordinary's Seal, shall not for the same Offence estfoons be convicted before the Justice: And in likewise receiving for the said Offences Punishment by the Justice, he shall not for the same Offence estfoons receive Punishment of the Ordinary; any Thing in this Act to the contrary notwithstanding.

C A P. IV.

EXP.

An Act touching Writings made from the Sixth Day of *July* last past, and before the First Day of *August* then next ensuing.

C A P. V.

An Act for the Limitation of Prescription in certain Cases.

32 H. 8. c. 2.

§ 1.

WHERE at a Parliament holden at *Westminster* the Twenty fourth Day of *July* in the Thirty second Year of the Reign of the late King of famous Memory, King *Henry* the Eighth, it was enacted, That no Manner of Person or Persons should from thenceforth sue, have or maintain any Writ of Right, or make any Prescription, Title or Claim of, to or for any Manors, Lands, Tenements, Rents, Annuities, Commons, Pensions, Portions, Corrodies or other Hereditaments of the Possession of his or their Ancestor or Predecessor, and declare and alledge any further Seisin or Possession of his or their Ancestor or Predecessor, but only of the Seisin or Possession of his Ancestor or Predecessor which hath been, or then was or shall be, seised of the said Manors, Lands, Tenements, Rents, Annuities, Commons, Pensions, Portions, Corrodies or other Hereditaments within Threescore Years next before the *Telle* of the same Writ, or next before the said Prescription, Title or Claim, sued, commenced, brought, made or had after the making of the same Act:

§ 4.

II. And where also it was further enacted by the Authority afore said, amongst other Things, That no Person or Persons should after that make any Avowry or Cognisance for any Rent, Suit or Service, or alledge any Seisin of any Rent, Suit or Service, in the same Avowry or Cognisance, in the Possession of his or their Ancestors or Predecessor or Predecessors, or in his own Possession, or in the Possession of any other whose Estate he should after that pretend or claim to have, above Fifty Years next before the making of the said Avowry or Cognisance.

§ 6.

III. And where by the same Act it was also further enacted amongst other Things, That if any Person or Persons at any Time after that, did sue any of the said Actions or Writs for any Manors, Lands, Tenements or other Hereditaments, or make any Avowry, Cognisance, Prescription, Title or Claim of or for any Rent, Suit, Service or other Hereditaments, and could not prove that he or they, or his or their Ancestors or Predecessors were in actual Possession and Seisin of and in the same Manors, Lands, Tenements, Rents, Suits, Services, Annuities, Commons, Pensions, Portions, Corrodies or other Hereditaments, at any Time or Times within the Years before limited and appointed in the same Act, in Manner and Form as is afore said; that if the same Seisin

Seisin were traversed or denied by the Party Plaintiff, Demandant or Avowant, or by the Party Tenant or Defendant, that then and after such Trial therein had, all and every such Person and Persons and their Heirs, should from thenceforth be utterly barred for ever of all and every the said Writs, Actions, Avowries, Cognisance, Prescription, Title and Claim after that to be sued, had or made of and for the same Manors, Lands, Tenements, Hereditaments or other the Premises, or any Part of the same, for the which the same Action, Writ, Avowry, Cognisance, Prescription, Title or Claim, should at any Time be had, sued or made:

IV. Upon which said Act Doubt and Ambiguity hath risen and been moved, whether a Writ of Right of Advowson, a *Quare Impedit*, *Jure Patronatus*, or Assise of *Darein Presentment*, may be maintained by any Person or Persons, Bodies Politick or Corporate, whereas the same Person or Persons, Bodies Politick or Corporate, their Ancestor or Predecessor, or he or they by whom he or they do claim, cannot lay the *Ejfees*, Seisin or Presentment, in him or themselves, or the Ancestor or Predecessor of them or any of them, or in him or them by whom he or they do claim, within Threescore Years next before the *Tesse* of the same Writ of Right of Advowson, *Quare Impedit* or Assise of *Darein Presentment*, and *Jure Patronatus*; and also whether any Person or Persons, Bodies Politick or Corporate, having a Seignory by Reason of any Castles, Honours, Manors, Lands, Tenements or Hereditaments of him or them holden by Knights Service, may maintain a Writ of Right of Ward, or a Writ of Ravishment of Ward, for any Castles, Honours, Manors, Lands, Tenements or Hereditaments holden by Knights Service, or for the Body of any Ward that he or they claim by Reason of any such Tenure by Knights Service, whereas he or they have not been seised of the same Services within Threescore Years next before the *Tesse* of any such Writs: For the Explanation and plain Declaration whereof, and in avoiding of the said Ambiguities and Doubts, Be it enacted and declared by the Queen's Highness, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said former Act made in the said xxxij. Year of the Reign of the said late King Henry, or any Article, Clause, Sentence or Matter therein contained, shall not extend to any Writ of Right of Advowson, *Quare Impedit* or Assise of *Darein Presentment*, nor *Jure Patronatus*; nor to any Writ of Right of Ward, Writ of Ravishment of Ward, for the Wardship of the Body, or for the Wardship of any Castles, Honours, Manors, Lands, Tenements or Hereditaments holden by Knights Service, nor to the Seisor of the Wardship of the Body of any Ward or Wards, or to the Seisor or Wardship of any Castles, Honours, Manors, Lands, Tenements or Hereditaments holden by Knights Service; but that all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, and the Heirs and Successors of every of them, shall and may have, maintain and pursue all and singular the said Writs of Right of Advowson, *Quare Impedit*, Assise of *Darein Presentment*, *Jure Patronatus*, Writs of Right of Ward, Ravishment of Ward, and also seise the Wardship both of the Body and of the Castles, Honours,

Doubts upon
32 H. 8. c. 2.

Certain Writs
and Acts where-
unto the said
Statute shall not
extend.

Honours, Manors, Lands, Tenements and Hereditaments, holden by Knights Service, in like Manner and Form to all Intents, Constructions and Purposes, as they or any of them should or might have done, made or pursued, before the making of the said Act made in the said xxxij. Year, as though the same Act had never been had or made; any Thing in the said former Act to the contrary notwithstanding.

[See further as to Limitations of Actions 21 Jac. 1. c. 16. and as to Tenures by Knights Service, &c. 12 Car. 2. c. 24.]

C A P. VI.

An Act against counterfeiting of strange Coins, being current within this Realm, or of the Queen's Highness Sign Manual, Signet or Privy Seal.

FORASMUCH as by the Laws of this Realm small and no due and conigne Punishment is at this present Time provided for such evil disposed Persons as shall counterfeit or forge such Kind of Gold or Silver of other Realms, as is not the proper Coin of this Realm, and yet permitted and suffered by the Queen, our Sovereign Lady's Consent, and heretofore hath been permitted and suffered by the Consent of her most Noble Progenitors, to be current in Payment within this her Realm, nor for such Persons as shall counterfeit the Queen's Highness Sign Manual, or Privy Signet or Privy Seal; by Reason whereof divers evil disposed Persons are encouraged and boldned daily to perpetrate and commit the said several Offences:

Forging the Coin of other Realms current in this Realm, or the Queen's Sign Manual, &c.

II. For Remedy whereof, be it enacted by our said Sovereign Lady the Queen, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons hereafter falsly forge and counterfeit any such Kind of Coin of Gold or Silver as is not the proper Coin of this Realm, and is or shall be current within this Realm by the Consent of the Queen, Her Heirs or Successors; or if any Person or Persons at any Time hereafter falsly do forge or counterfeit the Queen's Sign Manual, Privy Signet or Privy Seal; that then every such Offence shall be deemed and judged High Treason; and the Offenders therein, their Counsellors, Procurers, Aiders and Abettors, being convicted according to the Laws of this Realm of any of the said Offences, shall be likewise deemed and adjudged Traitors against the Queen, Her Heirs and Successors, and the Realm, and shall suffer and have such Pains of Death, Forfeiture of Lands, Goods and Chattels, and also lose the Privilege of all Sanctuary, as in the Case of High Treason is used and ordained.

Treason.

C A P. VII.

An Act touching Proclamations upon Fines.

WHEREAS upon Fines levied with Proclamations Doubts have of late arisen, by Reason of Adjournment of Terms, in which Proclamations should have been made according to the Form limited for Proclamations upon Fines by the Statute made in the Fourth Year of King Henry the Seventh, and were not by Reason

Reason of such Adjournments had ne made, according to the Parvey of the same Estatute :

II. Be it therefore enacted, That all Fines, as well heretofore levied as hereafter to be levied, before the Justices of the Common Place, of any Manors, Lands, Tenements or other Hereditaments, whereupon the Proclamations have not or shall not, by Reason of Adjournment of any Term by Writ, be duly made, shall be of as good Force, Effect and Strength to all Intents, Construtions and Purposes, as if any Term heretofore so adjourned, or that at any Time hereafter shall be so adjourned, had been holden and kept from the Beginning to the End thereof not adjourned, and Proclamations therein made according to the Form and Effect of the said Statute.

Fines in what
Case of force.

III. Provided always, That this Act shall not in any wise extend to any Fine heretofore levied of any Manors, Lands, Tenements or Hereditaments, now in Suit, Demand or Variance in any of the Queen's Courts, or whereof any Charters, Evidences or Muni-ments concerning the same be now in Demand in the Queen's High Court of Chancery; nor to any Fine or Fines heretofore levied of any Manors, Lands, Tenements or Hereditaments, which before the First Day of this present Parliament have been recovered, gotten or obtained, by Reason of any Judgment, Entry, Decree, Arbitrament or other lawful Means, contrary to the Purport, Intent or Effect of any such Fine or Fines thereof heretofore levied.

Fines to which
this Statute shall
not extend.

C A P. VIII.

An Act that Sheriffs shall not be Justices of Peace during that Office.

WHERE in One Act of Parliament, intituled, *Act for the Continuance of Actions after the Death of any King* (a), made in the First Year of our late Sovereign Lord King Edward the Sixth, amongst other Things it is ordained and enacted, That albeit any Person or Persons being Justice of Assise, Justice of Gaol-delivery, or Justice of Peace, within any of the King's Dominions, or being in any other of the King's Commissions whatsoever, shall fortune to be made Duke, Archbishop, Marquess, Earl, Viscount, Baron, Bishop, Knight, Justice of the one Bench or of the other, or Serjeant at the Law or Sheriff, yet that notwithstanding he and they should remain Justice and Commissioner, and have full Power and Authority to execute the same in like Manner and Form as he or they might or ought to have done before the same, as in the said Act more plainly appeareth: Sithence the making of which Act, divers Persons being in Commission of the Peace in One County, have been made Sheriffs of the same County, and have exercised either of the said Offices; which seemeth not to be convenient :

1 E. 6. c. 7. § 4.

II. Wherefore be it enacted by the Authority of this present Parliament, That no Manner of Person or Persons having, using or exercising the Office of the Sheriff of any County or Countie, shall use or exercise the Office of the Justice of the Peace, by

No Sheriff shall
be Justice of
Peace where or
when he is
Sheriff.

(a) [See the Title of the Act.]

Force of any Commission or otherwise, in any County or Counties where he or they shall be Sheriff, during the Time only that he or they shall use or exercise the said Office or Sheriffrick; any Thing in the said former Act to the contrary in any wise notwithstanding. And that all and every Act and Acts to be done by any such Sheriff and Sheriffs by Authority of any Commission of the Peace, during the Time abovesaid, shall be void and of none Effect; the said former Act notwithstanding.

C A P. IX.

An Act touching Incorporations of the Physicians in *London*.

14 & 15 H. 8.
c. 5.

‘ WHEREAS in the Parliament holden at *London* the Fifteenth Day of *April* in the Fourteenth Year of the Reign of our late Sovereign Lord King *Henry* the Eighth, and from thence adjourned to *Westminster* the last Day of *July* in the Fifteenth Year of the Reign of the same King, and there holden, it was enacted, That a certain Grant by Letters Patents of Incorporation made and granted by our said late King to the Physicians of *London*, and all Clauses and Articles contained in the same Grant, should be approved, granted, ratified and confirmed by the same Parliament :

confirmed.

II. For the Consideration thereof, be it enacted by the Authority of this present Parliament, That the said Statute or Act of Parliament, with every Article and Clause therein contained, shall from henceforth stand and continue still in full Strength, Force and Effect; any Act, Statute, Law, Custom, or any other Thing made, had or used to the contrary in any wise notwithstanding.

III. And for the better Reformation of divers Enormities hapning to the Commonwealth by the evil using and undue Administration of Physick, and for the enlarging of further Articles for the better Execution of the Things contained in the said Grant enacted; †

† *Sic.*

Persons committed to Prison by President of College of Physicians shall be received and kept.

IV. Be it therefore now enacted, That whensoever the President of the College or Commonalty of the Faculty of Physick of *London* for the Time being, or such as the said President and College shall yearly, according to the Tenor and Meaning of the said Act, authorise to search, examine, correct and punish all Offenders and Transgressors in the said Faculty, within the same City and Precinct in the said Act expressed, shall send or commit any such Offender or Offenders for his or their Offences or Disobedience contrary to any Article or Clause contained in the said Grant or Act, to any Ward, Gaol or Prison within the same City and Precinct (the Tower of *London* except), that then from Time to Time the Warden, Gaoler or Keeper, Wardens, Gaolers or Keepers of the Wards, Gaols and Prisons within the City or Precinct aforesaid (except before excepted) shall receive into his or their Prisons all and every such Person and Persons so offending, as shall be so sent or committed to him or them, as is aforesaid; and there shall safely keep the Person or Persons so committed, in any of their Prisons, at the proper Costs and Charges of the said Person or Persons so committed, without Bail or Mainprise, until such Time as such Offender or Offenders, or Disobedient, be discharged of the said Imprisonment by the said President.

President and such Persons as by the said College shall be thereunto authorised; upon Pain that all and every such Warden, Gaoler and Keeper, doing the contrary, shall lose and forfeit the double of such Fine and Amerciament as such Offender and Offenders, or Disobedients, shall be assessed to pay, by such as the said President and College shall authorise as aforesaid, so that the same Fine and Amerciament be not at any one Time above the Sum of xx. li. the Moiety thereof to be employed to the Use of our Sovereign Lady the Queen, Her Heirs and Successors, the other Moiety unto the said President and College: All which Forfeitures to be recovered by Action of Debt, Bill, Plaint or Information in any of the Queen's, Her Heirs and Successors', Courts of Record, against any such Warden, Gaoler or Keeper so offending; in which Suit no Effoin, Wager of Law nor Protection shall be allowed ne admitted for the Defendant.

Penalty.

How disposed of.

V. And further be it enacted by the Authority aforesaid, for the better Execution of the Search and View of Poticary Wares, Drugs and Compositions, according to the Tenor of a Statute made in the xxxij. Year of the Reign of the said late King Henry the Eighth, That it shall be lawful for the Wardens of the Grocers, or One of them, to go with the said Physicians in their View and Search, that if the said Warden or Wardens do refuse or delay his or their coming thereunto forthwith and immediately when the said President or Four of his College elect as aforesaid do call upon him or them, that then the said Physicians may and shall execute that Search and View, and the due Punishment of the Poticaries for any their evil and faulty Stuff, according to the Statute last before mentioned, without the Assistance of any of the said Wardens; any Clause in the afore named Statute to the contrary hereof notwithstanding. And every such Person or Persons as will or shall resist such Search shall forfeit for every such Resistance Ten Pound; the same Penalty to be recovered in Form aforesaid, without any of the Delays aforesaid to be had in Suit thereof.

Searching Apothecary's Ware.
32 H. 8. c. 40.
EXP.Resisting Search.
Penalty.]

VI. And further be it enacted, That all Justices, Mayors, Sheriffs, Bailiffs, Constables, and other Ministers and Officers, within the City and Precincts above written, upon Request to them made, shall help, aid and assist the President of the said College, and all Persons by them from Time to Time authorised for the due Execution of the said Acts or Statutes, upon Pain for not giving of such Aid, Help and Assistance, to run in Contempt of the Queen's Majesty, Her Heirs and Successors.

Magistrates shall assist in Search.

C A P. X.

An Act for the uniting, dissolving or new erecting of Courts. EXP.

[See 1 Eliz. c. 4. § 15.]

C A P. XI.

An Act for the Sale of Hats and Caps made beyond the Sea.

[Repealed 1 Jac. 1. c. 25. § 30.]

C A P.]

C A P. XII.

An Act against unlawful and rebellious Assemblies. EXP.

C A P. XIII.

An Act for the Continuance of certain Statutes. EXP.

C A P. XIV.

An Act for the Continuance of a Statute made for the
Reparation of Gaols. EXP.

C A P. XV.

An Act for the re-edifying of the Parish Church of Saint
Elens in *Stainegate* within the City of *York*.

“ THE Queen, Her Heirs and Successors, may present an able
“ Clerk to the Vicarage of the same.

C A P. XVI.

An Act for the Confirmation of the Attainder of *John* late
Duke of *Northumberland*, and others.

C A P. XVII.

An Act for the Release of the last Subsidy of the Tem-
poralty.

C A P. XVIII.

An Act of a Subsidy of Tunnage and Poundage of divers
Merchandizes. EXP.

Anno primo MARIE, Sessio tertia. (A.D. 1553.)

STATUTES made in the Parliament begun and holden at Westminster the Second Day of April in the First Year of the Reign of our most gracious and excellent Sovereign Lady MARY, by the Grace of God, Queen of England, France and Ireland, Defender of the Faith, and there continued and kept until the Dissolution of the same, being the Fifth Day of May then next ensuing, viz:

C A P. I.

An Act declaring that the Regal Power of this Realm is in the Queen's Majesty, as fully and absolutely as ever it was in any of her most noble Progenitors, Kings of this Realm.

FORASMUCH as the Imperial Crown of this Realm, with all Dignities, Honours, Prerogatives, Authorities, Jurisdications and Preheminences thereunto annexed, united and belonging, by the Divine Providence of Almighty God, is most lawfully, justly and rightfully descended and come unto the Queen's Highness that now is, being the very, true and undoubted Heir and Inheritrix thereof, and invested in her most Royal Person, according unto the Laws of this Realm: And by Force and Virtue of the same, all Regal Power, Dignity, Honour, Authority, Prerogative, Preheminence and Jurisdications doth appertain, and of Right ought to appertain and belong unto Her Highness, as unto the Sovereign supream Governor and Queen of this Realm, and of the Dominions thereof, in as full, large and ample Manner, as it hath done heretofore to any other Her most noble Progenitors, Kings of this Realm: Nevertheless, the most ancient Statutes of this Realm, being made by Kings then reigning, do not only attribute and refer all Prerogative, Preheminence, Power and Jurisdiction Royal unto the Name of King, but also do give, assign and appoint the Correction and Punishment of all Offenders against the Regality and Dignity of the Crown, and the Laws of this Realm, unto the King: By Occasion whereof, the malicious and ignorant Persons may be hereafter induced and perswaded unto this Error and Folly, to think that Her Highness could ne should have, enjoy and use such like Royal Authority, Power, Preheminence, Prerogative and Jurisdiction, nor do ne execute and use all Things concerning the said Statutes, and take the Benefit and Privilege of the same, nor correct and punish Offenders against Her most Royal Person, and the Regality and Dignity of the Crown of this Realm and the Dominions thereof, as the Kings of this Realm, Her most noble Progenitors, have heretofore done, enjoyed, used and exercised:

Several Causes
why this Statute
was made.

II. For the avoiding and clear Extinguishment of which said Error or Doubt, and for a plain Declaration of the Laws of this Realm in that Behalf,

The Royal Power of this Realm, and all the Dignities of the same, shall be as well in a Queen as in a King.

III. Be it declared and enacted by the Authority of this present Parliament, That the Law of this Realm is, and ever hath been, and ought to be understood, that the Kingly or Regal Office of this Realm, and all Dignities, Prerogatives Royal, Power, Pre-eminences, Privileges, Authorities and Jurisdictions thereunto annexed, united or belonging, being invested either in Male or Female, are and be, and ought to be, as fully, wholly, absolutely and entirely deemed, judged, accepted, invested and taken in the one as in the other; so that what or whensoever Statute or Law doth limit and appoint that the King of this Realm may or shall have, execute and do any Thing as King, or doth give any Profit or Commodity to the King, or doth limit or appoint any Pains or Punishment for the Correction of Offenders or Transgressors against the Regality and Dignity of the King or of the Crown; the same, the Queen (being supreme Governess, Possessor and Inheritor to the Imperial Crown of this Realm, as our said Sovereign Lady the Queen most justly presently is) may by the same Authority and Power likewise have, exercise, execute, punish, correct and do, to all Intents, Constructions and Purposes, without Doubt, Ambiguity, Scruple or Question; any Custom, Use or Scruple, or any other Thing whatsoever to be made to the contrary notwithstanding.

C A P. II.

An Act touching the Articles of the Queen's Highness most noble Marriage.

WHEREAS most instant Suit hath been made to your most Excellent Majesty on the Behalf of the most Noble and most Victorious Prince *Charles* Emperor of *Rome*, &c. for Marriage to be had between your Highness, and his only Son and Heir, the noble Prince *Philip* of *Spain*, &c. whereupon to the Pleasure of Almighty God, to the Comfort of your most noble Person, and to the great and singular Honour, Wealth, Benefit and Commodity of this your Realm of *England*, and of all us, your most humble and obedient Subjects of the same, there hath passed and been concluded in Two sundry Treatises certain Pacts and Covenants, touching the said Marriage with Dependencies and Circumstances of the same, and in the One Treatise these Articles:

Two Treatises.

First Treatise.

First it is covenanted and agreed, That as soon as conveniently may be, true and perfect Marriage by Words of the Time present shall be contracted, solemnized and consummate in *England* between the said most noble Prince, and the said most virtuous Lady the Queen. By force of which Marriage so celebrated and consummate, the said most noble Prince *Philip* shall, during the said Marriage, have and enjoy jointly together with the said most gracious Queen his Wife, the Style, Honours, and kingly Name of the Realms and Dominions unto the said most noble Queen appertaining, and shall aid her Highness, being his Wife, in the happy Administration of Her Grace's Realms and Dominions. The Rights, Laws, Privileges and Customs of the same Realms and Dominions being nevertheless preserved and maintained.

And specially, it is provided and covenanted, That the said most noble Prince shall permit and suffer the said most gracious Queen

Queen his Wife to have the whole Disposition of all the Benefices and Offices, Lands, Revenues, and Fruits of the said Realms and Dominions, and that they shall be bestowed upon such, as be naturally born in the same; and that all the Matters of the said Realms and Dominions shall be treated and mained in the same Tongues, wherein of old they have been wont to be treated, and by the Natural Born of the same Realms.

It is also covenanted, That the same most noble Queen, by virtue of the foresaid Matrimony shall be admitted into the Society of the Realms and Dominions of the said noble Prince, as well such as he hath now presently, as such other also, as during the same Matrimony, may come hereafter unto him; and for her Dower in case that Her Highness overlive the said most noble Prince her Husband, she shall yearly receive Three score thousand Pounds, after the Value of Forty Groats *Flemish* Money the Pound, the same to be allotted and appointed upon all the Realms, Lands andrimonial Dominions of the said most victorious Lord the Emperor his Father, in Manner and Form following, that is to say, Forty thousand Pounds shall be assigned upon the Realms of *Spain Castile* and *Aragon*, and their Appurtenances in best Manner that may be, and according to the Fashion, Usage, and Custom of the said Realms; so as if the said noble Prince do die before Her Highness and by reason thereof the said Dower come in Ure, and take Effect, the said most gracious Queen shall, and may freely, without any Impediment, have, use and enjoy the said Forty thousand Pounds, as is aforesaid; the other Twenty thousand Pounds shall be appointed unto Her Highness upon the Dukedoms, Earldoms and Dominions of *Brabant*, *Flanders*, *Heynold*, *Holland*, and other therimonial Lands and Inheritance of the said Lord the Emperor in the Lower *Germany*, in like Manner as the Lady *Margaret* of *England*, some Time Wife and Widow of the Lord *Charles*, of laudable Memory, Duke of *Burgundy*, had and received upon the same, so as the said most noble Queen surviving her said Husband, shall immediately after his Death use, enjoy and possess her said Dower, so far forth as no Part thereof be alienated or obliged to others; and in case any Part thereof be found alienate or bound to others, other Lands or Revenues of like Value, lying nigher to the Residue of the said Dower, shall be in due Form assigned in lieu thereof within the Space of Three Months, which Her Highness shall use and enjoy in like Manner and Form, as the said Lady *Margaret* of *England* before used and enjoyed.

And lest that amongst their Children there might arise some Strife for the Succession, and thereby disturb the Fruit of perpetual Concord, that is hoped shall ensue of this Matrimony between the Realms and Dominions of either Party, the said Succession shall be ordered in Manner and Form following;

First, that as touching the Right of the Mother's Inheritance in the Realm of *England*, and the other Realms and Dominions depending of the same, the Children as well Males as Females, that shall be born of this Matrimony, shall succeed in them, according to the Laws, Statutes and Customs of the same.

And as touching the Lands, that the said most noble Prince shall leave behind him; first, there shall be reserved unto his

' eldest Son the Lord *Charles* of *Austrich* Infant of *Spain*, and to
 ' the Children and Heirs of him descending as well Females as
 ' Males, all and singular their Rights, which to the said Prince do
 ' either now, or hereafter shall belong, and shall at any Time by
 ' the Death, either of the noble Queen his Granddame, or the
 ' most victorious Emperor *Charles* the Fifth his Father, (which
 ' God long defer) be devolved unto him in the Realms of *Spain*,
 ' of both the *Sicilies* with all their Appurtenances, in the Dukedom
 ' of *Milan*, and other Lands and Dominions in *Lombardy* and *Italy*,
 ' whatsoever Name and Title they have, which nevertheless shall
 ' be burdened and charged with the aforesaid Dower of xl. Thou-
 ' sand Pounds; in which Realms, Lands and Dominions the Chil-
 ' dren of this present Matrimony shall pretend nothing so long as
 ' the said Lord *Charles* the Infant, or any Issue of his Body, law-
 ' fully begotten do live; but if it fortune the same Lord *Charles*
 ' to die, and the Issue of his Body to fail, then and in that Case,
 ' the eldest Son of this Matrimony shall be admitted unto the said
 ' Right, and according to the Nature, Laws and Customs of the
 ' said Realms and Dominions shall succeed; the same eldest Son
 ' shall also succeed in all the Dukedoms, Earldoms, Dominions
 ' and primonial Lands belonging unto the said Lord the Em-
 ' peror, as well in *Burgundy*, as in the Lower *Germany*; that is to
 ' say, in the Dukedoms of *Brabant*, *Luxembourg*, *Gelders*, *Zuiphane*,
 ' *Burgundy*, *Friesland*, in the Counties of *Flanders*, *Artois*, *Hol-*
 ' *land*, *Zeland*, *Namures*, the Land beyond the Isles, and in all other
 ' whatsoever thereunto belonging, or any Ways appertaining, with
 ' all their Rights and Demands.

' But if the said Lord *Charles*, or they that shall come of him,
 ' shall remain on life, and that there by this Matrimony any Male
 ' Child, in that Case the said Lord *Charles*, or his Descendants, shall
 ' be, and remain excluded from the said Lands and primonial Do-
 ' minions of the Lower *Germany*, and of *Burgundy*, and the same
 ' with all their Right shall descend unto the eldest Son to be born
 ' of this Matrimony; and to the other Children that shall be born
 ' of the said Matrimony, as well Males as Females, a convenient
 ' Portion and Dower shall be allotted in the Realm of *England*
 ' and Dominions depending of the same, and in the said Lands,
 ' and primonial Dominions of the Lower *Germany*; and neither
 ' the eldest Son of this Matrimony, nor the other Sons begotten in
 ' the same, shall pretend any Right in the Realm of *Spain*, or the
 ' other Dominions depending of the same, and reserved to the said
 ' Lord *Charles* the Infant, otherwise than by their Fathers or
 ' Grandfathers Disposition shall be given or left unto them.

' Moreover, if it fortune no Male Child to be born of this Ma-
 ' trimony, but only Females, in that Case the eldest Female shall
 ' with full Right succeed in the said Lands and Dominions of
 ' the Lower *Germany*, so as nevertheless she being minded to choose
 ' to Husband any Man not born in *England*, or in the Lower *Ger-*
 ' *many*, she do contract the same Matrimony by the Counsel and
 ' Consent of the said Lord *Charles* the Infant her Brother, or else
 ' if she take any Man to Husband, that is not born in *England*, or
 ' in the Lower *Germany*, neglecting the Counsel and Consent of the
 ' said Lord *Charles*, in that Case the Right of the Succession shall
 ' be and remain to the said Lord *Charles* the Infant in the said
 ' Dominions of Lower *Germany*, *Burgundy* and their Appurte-

* nances, which in the Case aforesaid shall revert unto him or his
 * Issue, as well Males as Females; and yet nevertheless in that
 * Case both she and the other Daughters also descending of this
 * Matrimony (no Male Children remaining) shall be endowed of
 * their Father's Lands and Possessions, as well of *Spain*, as of
 * *Lower Germany*, competently and according to the Customs of
 * the said Realms and Dominions.

* And for want also of the said Lord *Charles*, and the Issue of
 * him, and none other Children remaining of this Matrimony but
 * Women, in that Case the eldest Daughter to be born of this Ma-
 * trimony, shall succeed not only in the said Dominions of *Lower*
 * *Germany* and *Burgundy*, but also in the other Realms of *Spain*,
 * *England*, and the Rest after the Nature, Laws and Customs of
 * the same.

* Provided nevertheless, and expressly reserved in all and singular
 * the above declared Cases of Succession, that whatsoever he or
 * she be, that shall succeed in them, they shall leave to every of
 * the said Realms, Lands and Dominions, whole and entire their
 * Privileges, Rights and Customs; and the same Realms and Do-
 * minions shall administer and cause to be administered by the
 * natural-born of the same Realms, Dominions and Lands, and
 * in all Things faithfully procure their Utility and Quiet, and
 * shall rule and nourish them in good Justice and Peace, according
 * to their Statutes and Customs.

* Finally, that between the said Emperor, the Prince, and his
 * Successors, their Realms and Dominions, whatsoever, and the said
 * most gracious Queen, and her Realms and Dominions, there shall
 * be from henceforth an entire and sincere Fraternity, Unity and
 * most straight Confederacy for ever (God willing) happily to
 * endure, so as they shall mutually one of them aid another in all
 * Things, which to themselves and their Honour, and to the Con-
 * servation of their Heirs and Successors shall be most agreeable,
 * according to the Strength, Form and Effect of the latter Treaty
 * of a straight Amity, bearing Date at *Westminster*, the Year of our
 * Lord God, One thousand five hundred forty and two, the Decla-
 * ration of which Treaty beareth Date at *Utrecht*, the xvi. Day of
 * *January*, in the Year of our Lord God, One thousand five hun-
 * dred forty and six.

* And in another Treatise these Articles following:

Second Treatise.

* First, that the said most noble Prince shall not promote, admit
 * or receive to any Office, Administration or Benefit in the said
 * Realm of *England*, and the Dominions thereunto belonging, any
 * Stranger or Persons not born under the Dominion and Subjection
 * of the said most noble Queen of *England*.

* That the said most noble Prince shall receive and admit into the
 * Service of His Household and Court, Gentlemen and Yeomen of
 * the said Realm of *England*, in a convenient Number, and shall
 * esteem, entertain and nourish them, as his proper Subjects, and
 * shall bring none in his Retinue, nor have none with him, that will
 * do any Displeasure or Wrong to the Subjects of the said Realm;
 * and if they do, he shall take Order to correct them with condign
 * Punishment, and see them expelled his Court.

* That the said most noble Prince shall do nothing whereby any
 * Thing be innovated in the State and Right, either public or
 * private, or in the Laws and Customs of the said Realm of *Eng-*
land,

land, or the Dominions thereunto belonging, but shall contrary-
wise confirm and keep to all Estates and Orders their Rights and
Privileges.

That the said Lord Prince shall not lead away the aforesaid
most noble Lady the Queen out of the Borders of her Highness
Realm unless she herself desire it, nor carry the Children that
shall be born of his Matrimony out of the same Realm of *England*,
but to the Hope of Succession to come, shall there suffer them to
be nourished and brought up, unless it shall be otherwise thought
good by the Consent and Agreement of the Nobility of *England*;
and in case that no Children being left, the said most noble
Queen do die before him, the said Lord Prince shall not chal-
lenge any Right at all in the said Kingdom, but without any Im-
pediment shall permit the Succession thereof to come unto them,
to whom it shall belong and appertain by the Right and Laws
of the said Realm.

Item, That the said most noble Prince shall not bear or carry
over out of the foresaid Realm, the Jewels and precious Things
of Estimation, neither shall he alienate or do away any Whit of
the Appurtenances of the said Realm of *England*, or suffer any
Part of them to be usurped by his Subjects, or any other, but
shall see that all and singular Places of the Realm, and specially
the Forts and Frontiers of the same be faithfully kept and pre-
served to the Use and Profit of the said Realm, and by the Na-
tural Born of the same. He shall not suffer any Ships, Guns,
Ordinances whatsoever of War or Defence, to be removed or
conveyed out of the said Realm, but shall contrarywise cause
them diligently to be kept and renewed, when Need requireth,
and shall so provide, that the same may be always ready in their
Strength and Force for the Defence of the Realm.

Item, That the Realm of *England* by Occasion of this Matri-
mony shall not directly or indirectly be entangled with the War
that is between the most victorious Lord the Emperor, Father
unto the said Lord Prince, and *Henry the French King*, but he
the said Lord *Philip*, as much as shall lie in him on the Behalf of
the said Realm of *England*, shall see the Peace between the said
Realms of *France* and *England* observed, and shall give no
Cause of any Breach: by which Covenant the latter Treaty of a
straighter Amity shall not be in any Point derogated, but the
same shall still remain in his Vigour and Force; saving also, that
the Behalf of his Father's other Realms and Dominions, the said
Prince shall have free Power to aid and assist his most noble Fa-
ther, as he shall think best in the Defence of his Lands, and
Revenge of the Injuries he hath received.

Forasmuch as we your most humble and obedient Subjects,
the Lords Spiritual and Temporal, and the Commons, in this
present Parliament assembled, have naturally, sincerely and delibe-
rately considered and weighed all and singular the said Covenants,
Grants, Pacts, Treatises and Agreements, concerning the said
most honourable and fortunate Marriage between your Highness,
and the said most noble Prince of *Spain*, and the Dependence
thereof, and do thereupon think, deem and judge the same to
be both honourable unto your Highness, and commodious unto
the Commonwealth of this your Realm.

Therefore

Therefore, we your said humble and obedient Subjects most humbly pray and beseech your Majesty, that like as it hath pleased your Highness upon your free and natural Zeal and Goodwill, that you have and bear unto this your Realm, and to your loving Subjects of the same, to condescend and agree, that all and singular the said Grants, Articles, Pacts and Agreements, concerning the said Marriage, should be revealed, opened and declared unto us your said loving Subjects in this your High Court of Parliament, so it may also please your Majesty for the more perfect Corroboration and Strength of the said Articles, Grants, Pacts and Agreements, and to the Intent that the same may be the more inviolably observed and kept, that it may be enacted by the Authority of this present Parliament, that all and singular the said Articles, Covenants, Grants, Treatises, Pacts and Agreements, had, made and concluded, for and concerning the said Marriage between your Highness, and the said Prince of Spain, and all and singular the Dependencies thereof before rehearsed, shall immediately after the said Marriage had and solemnized, stand, remain and abide in perfect Force and Efficacy according to the Effect, Sense and true Meaning of the said Treatise.

Articles confirmed.

And where amongst other the Articles above remembered, it is agreed, that the said most noble Prince shall, during the said Marriage have and enjoy jointly together with your Majesty, the Stile, Honour and Kingly Name of the said Realms and Dominions to your Highness appertaining, and shall also aid your Highness, being his Wife, in the happy Administration of your Realms and Dominions (the Right, Laws, Privileges and Customs of the said Realms and Dominions being nevertheless reserved and maintained).

And where also it is provided, covenanted, and agreed amongst other the said Articles in the said Treatise, by and on the Behalf of the said most noble Prince, that the said most noble Prince shall permit and suffer your most excellent Majesty to have the whole Disposition of all the Benefices and Offices, Lands, Revenues and Fruits of the said Realms and Dominions; and that the said most noble Prince shall not do any Thing, whereby the Estate and Right either public or private, or the Laws and Customs of the said Realm of England, or the Dominions thereunto belonging be innovated. For the more express Explanation and Declaration of the Premises, we your faithful, loving and obedient Subjects do most humbly beseech your Highness, that it may be provided, enacted and established by the Authority of this present Parliament, That your Majesty as our only Queen, shall and may solely and as a sole Queen use, have and enjoy the Crown and Sovereignty of and over your Realms, Dominions and Subjects, with all the Preheminences, Prerogatives, Dignities, Authorities, Jurisdictions, Honours, Castles, Manors, Lands, Tenements and Hereditaments belonging to the same, in such sole and only Estate, and in as large and ample Manner and Form in all Degrees, Acts, Exercises and Conditions, from and after the Solemnization of the said Marriage, and at all Times during the same (which God grant long to continue and endure) as your Highness now hath, useth, exerciseth and enjoyeth the same; and as your Grace hath had, used, exercised and enjoyed, or might have had, used or enjoyed the

The Queen solely to enjoy the Crown, &c.

the same before the Solemnization of the said Marriage without any Right, Title, Estate, Claim or Demand to be given, come or growing unto the said most noble Prince, as Tenant by the Courtesy of this Realm, or in or by any other Mean, by force of the said Marriage, of, in and to your said Imperial Crown, Sovereignty, Realms, Dominions, Subjects, Preheminencies, Prerogatives, Dignities, Authorities, Jurisdictions, Honours, Castles, Mannors, Lands, Tenements and Hereditaments, belonging to the same, by any Laws, Usage or Custom whatsoever; the said Marriage or any Estatute, Custom, Prescription or other Thing to the contrary in any wise notwithstanding.

Letters Patent,
&c. to be intituled in the
Names of the
Prince and
Queen,

And yet nevertheless that it may be enacted, ordained and established by the Authority of this present Parliament, that all and singular Gifts, Grants, Letters Patents, Exchanges, Confirmations, Leases and other Writings, which after the said Marriage, and during the same, shall pass, and be made of the said Benefices, Offices, Lands, Revenues and Fruits, or of any of them, shall be intituled, set forth and made in the Names of the said most noble Prince, and of your most excellent Majesty, whether the said most noble Prince shall be present within the said Realms and Dominions, or within any of them, or absent; and the same Gifts, Grants, Letters Patents, Exchanges, Confirmations, Leases and other Writings so set forth and made, shall be signed and firm'd with the Sign Manual of your Highness; and the same so signed and sealed with the Great Seal of this Realm, or with such Seal as hath been accustomed, shall be by Authority of this present Parliament deemed, adjudged, declared and pronounced to be as good, perfect, and of like Force, Strength and Effect in the Law, to all Intents, Constructions and Purposes against the said most noble Prince, and against your Highness, your Heirs and Successors, as if your Excellent Majesty had been at the Time of the making thereof sole and unmarried.

And not having
the Sign Manual
of the Queen.

And that all Gifts, Grants, Letters Patents, Exchanges, Confirmations, Leases and other Writings, which after the said Marriage, and during the Time of the same, shall pass and be made of the said Benefices, Offices, Lands, Revenues and Fruits, or of any of them, whereunto the Sign Manual of your Highness shall not be set, made or put, shall be by the Authority of this present Parliament from Time to Time deemed, adjudged, accepted, taken and decreed to be of no Force ne Effect, but utterly frustrate and void in the Law, to all Intents, Constructions and Purposes, the said Marriage or any Law, Usage or Custom, to the contrary in any wise notwithstanding.

Void,

Pardons, &c. to
be in the Name
of the Prince
and Queen,

And that it may be also further enacted, ordained and established by the Authority aforesaid, That all Commissions, Instructions, Pardons, Writs of Summons, Prorogations or Dissolutions of Parliaments, Royal Assents, Adjournments of Terms, Original Writs and other Process, Instruments, Licences, Judicials, Acts and all manner Writings, other than the said Gifts, Grants, Letters Patents, Exchanges, Confirmations, Leases and other Writings concerning, or in any wise touching the said Benefices, Offices, Lands, Revenues and Fruits, or any of them after the said Marriage, and during the Time of the same, whether the said noble Prince shall be present within the said Realms and Dominions, or within any of them, or absent, after the Signing by your Majesty

of the Warrants or Writings of them heretofore used to be signed, shall pass, be set forth and made from Time to Time in the Names of the said most noble Prince and your most excellent Highness by such Officers and Ministers, and in such Manner, Form, and Order, as hath been used and accustomed to pass, be set forth and made in the Time or Times of your Grace's most noble Progenitors or any of them; and shall be by the Authority of this present Parliament, of the same and like Force, Strength and Effect in the Law, to all Intents, Constructions and Purposes, as if your most excellent Majesty were then sole and not married, the said Marriage, or any Law, Usage or Custom to the contrary in any wise notwithstanding.

Provided always, and that it may be enacted by the Authority aforesaid, That notwithstanding this Act, or any Thing therein contained, it shall be lawful to the Lord Chancellor, Lord Treasurer, Lord Privy Seal, Lord Steward of the Household, Lord Admiral, Justices of either Bench, and all other Judges, Officers and Ministers of the Courts of the Chancery, the Exchequer, the Marshalsea, Wards and Liveries, the Duchy of *Lancaster*, the Admiralty, the Presidents of the Counsels, the Justices of Forests, and all other Judges, Officers and Ministers of this your said Realm and Dominions of the same for the Time being, as well to make Leases and Grants in the Names of the said noble Prince, and of your Highness of all such your Majesty's Lands, Tenements and Hereditaments, not being entire Lordships or Manors, and of all other Things within their Order, Rule and Survey, in such like Manner and Form, as they or any of them have used, or might do, before the making of this Act by virtue of their said several Offices and Rooms; so that upon all and every such Leases the old accustomed Rents, Firms, or yearly Profits thereof be reserved, and payable yearly during such Leases, and so that the same Leases exceed not the Number and Term of One and twenty Years, and also to do, use and exercise by themselves or their Deputies in the said Offices and Rooms, all and every other Act and Things which they or any of them did, or might lawfully have done, used or exercised by Force and Virtue of the said Offices or Rooms before the making of this Act, as though this Act had never been had ne made. [See 1 & 2 P. & M. c. 1. § 2.]

Leases, &c. of
Crown Lands,
&c. to be in the
Names of the
Prince and
Queen.

C A P. III.

An Act for the Repeal of Two several Acts made in the Seventh Year of King *Edward* the Sixth, touching the Dissolution of the Bishoprick of *Durham*.

[Note, there appears but One such Act on the Roll.]

" A REPEAL of One Statute (not printed) made 7 E. 6. c. 1.
" whereby the Bishoprick of *Durham* was dissolved, and all the
" Lands and Possessions thereof were given to the King; and of
" One other Statute made 7 E. 6. c. 10. whereby the Town of
" *Gatefide*, &c. was severed from the said Bishoprick of *Durham*,
" and annexed to the Town of *Newcastle*; and *Cuthbert Tunstall*
" restored to the said Bishoprick, and to all the Possessions and
" Franchises thereof (saving to a capital Mansion-house in *Thames*-
" *street* in *London*, and Five Tenements thereunto belonging),
" and to the said Town of *Gatefide*, &c.

C A P.

C A P. IV.

An Act for the establishing of the Office of the Lord Steward of the Queen's Majesty's most Honourable Household.

“ A REPEAL of the Statute of 32 H. 8. c. 39. made touching
 “ the Erection of the Office and Authority of the Great Master of
 “ the King's House, and the re-establishing of the Name, Office
 “ and Authority of the Lord Steward of the Queen's House.

C A P. V.

An Act for the Continuation of a Statute made for the repairing of *Sherborne Causey*.

[Continued until the End of the First Session of next Parliament; 3 Car. 1. c. 4. § 22. and further continued 16 Car. 1. c. 4.]

C A P. VI.

An Act for the repairing of a Causey betwixt *Bristowe* and *Gloucester*. EXP.

C A P. VII.

An Act touching Cloth-making in Corporate and Market Towns.

5 & 6 E. 6. c. 8. **W**HERE the City of *Worcester*, and divers other Cities, Boroughs and Towns Corporate within this Realm of *England*, of long Time have been upholden, repaired and only maintained by making of Broad Clothes called Long Clothes, Short Clothes and Coloured Clothes, and the Citizens, Freemen and Inhabitants of the same Cities, Towns and Boroughs Corporate, have thereby been greatly enriched, and the poor People and Handicraftsmen of the same and the Counties adjoining daily set a work, as Weavers, Walkers, Fullers, Fulling Millmen, Sheer-men and Dyers, Forcers of Wools, Casters of Wools and Sorters of Wools, Spinners, Carders and Spillers of Yarn, and have had their only Living thereby, till now of late, in the Fifth Year of the Reign of our late Sovereign Lord King *Edward* the Sixth, that an Estatute was made, That no Man should occupy Cloth-making, ne put any Broad Cloth or Clothes to weaving or making, except he hath been Apprentice to Cloth-making by the Space of Seven Years, or else have occupied and practised Cloth-making by the Space of Seven Years or more, under Pain of Forfeiture of great Penalties in the same Estatute limited; by Reason whereof divers and many good Clothiers, dwelling in the said Cities and Towns Corporate, which had occupied and made Cloth by the Space of Five or Six Years, and some which have married Clothiers Wives, which had occupied Cloth-making by the Space of Twenty Years before, by Reason of the same Estatute have been enforced to leave off and clearly discontinue their Cloth-making, to their great Impoverishment, and to the utter Undoing of a great Number of poor People and Handicraftsmen, which daily had their Living by the said Clothiers: And forasmuch as the perfect and principal Ground of Cloth-making is the true Sorting of Wools, and the Experience thereof consisteth only in Women, as Clothiers
 Wives,

- Wives, and their Women Servants, and not in Apprentices, they be thereby very like utterly to be undone for ever, unless speedy Remedy be therein provided :

II. In Consideration whereof be it enacted, &c. [Repealed 49 G. 3. c. 109. § 1.]

C A P. VIII.

An Act touching the buying and currying of Leather.

WHERE at the Parliament holden at *Westminster* upon Pro- rogation the xv. Day of *April* in the Sixth Year of the Reign of our late Sovereign Lord King *Edward* the Sixth, it was amongst other Things enacted, That no Person or Persons of what Estate, Degree or Condition soever he or they be, should buy or engross, or cause to be bought or engrossed, any Kind of tanned Leather to sell the same again, saving only Sadlers, Girdlers, Cordwainers and certain other Artificers, as by the same Act more plainly may appear : Sithence the making whereof forasmuch as many poor Artificers, as Shoemakers and Coblers, who afore that might buy from Time to Time their Stuff of the Currier ready provided and wrought sufficiently, and to buy the same at a Price reasonable, and now being very poor Men, and not able to buy Two or Three Hides or Backs of Leather at one Time, nor to pay ready Money for the same, are inforced to give up their Occupations in great Number, to their utter Impoverishment and Undoing : And forasmuch also as sithence the making of the said Estatute all Kind of Stuff made of Leather is more slenderly and deceitfully wrought and made than ever it was, and nevertheless as dear, or dearer ; whereby it may appear that the said former Act was procured for the singular Commodity of a few rich Shoemakers and other Artificers that are now common Regrators and Ingrossers of Leather, without Respect of perfect Workmanship, either of the Commonwealth, which is well perceived both in Men's Purses, and also in their Shoes : The Experience is well proved, they having the only Trade of buying of Leather, Stuff and Tallow in their Hands, and notwithstanding do deliver to the Currier so little Stuff and Tallow, whereby the Leather cannot be sufficiently wrought : And forasmuch as the Curriers are by divers Laws bound to the sufficient Workmanship and Currying of Leather upon divers Pains, where they may buy no Leather, nor the Shoemaker will not allow them sufficiently to do the same ;

II. Be it therefore enacted, That from henceforth it shall be lawful as well for the Currier, Shoemaker, Girdler, Sadler, Budget-maker, and all other Artificers occupying the Craft or Mystery of Leather-buying, lawfully to buy all Kinds of tanned Leather in Fairs and Markets within all Places of this Realm accustomed to be sold, it being lawfully tanned and dressed, so that the said Curriers, Shoemakers and Girdlers, nor any Person for them, or for their Use, shall buy any Kind of tanned Leather to sell again to any Merchant or other Stranger, to be conveyed over the Sea, ne shall send or convey any Leather beyond the Sea, upon the forfeiting of all such Leather so bought, the One Half of the same to be to the Queen's Highness, and the other Half to him that presenteth the same ; And further, the aforesaid Act from henceforth

Curriers, &c. may buy Leather, but not convey beyond Sea.

5 & 6 E. 6.
c. 15. repealed.

forth to be repealed, made void and of none Effect, concerning the Curriers, Shoemakers, Sadlers, Budget-makers, Girdlers, and all other Artificers occupying the Mystery of Leather-buying, curried and dressed.

The Curriers of
London and
Suburbs shall use
their own Stuff.

III. And be it further enacted, That from henceforth no Person or Persons (occupying the Feat or Mystery of currying of tanned Leather) within the City of *London*, or the Suburbs of the same, shall occupy about the currying of the same Leather any other Stuff or Tallow brought unto him by any other Person or Persons, but such as shall be his own, upon Pain of Forfeiture of all such Leather so curried, contrary to the true Meaning thereof.

Currying from
St. James's Day
to 25th March.

IV. And furthermore, That no Currier shall curry any Hides for any Shoemaker, to make Shoes or Boots of, from the Feast of *St. James* the Apostle unto the xxv. Day of *March*, but such as shall be sufficiently dipped twice in the Pan, for the true and just Workmanship thereof, upon Pain of Forfeiture of all such Leather as shall be wrought to the contrary, the One Half of the same to the Queen's Highness, and the other Moiety to him that shall find and present the same; all the same Penalties to be recovered in Form aforesaid, by him or them that will sue for the same, by Action of Debt, Bill, Plaint or Information, in any Court of Record, wherein no Essoin, Protection or Wager of Law shall be admitted or allowed for the Defendant.

Within what
Time Leather
shall be curried.

V. Provided always, and be it enacted by the Authority aforesaid, That when and as often as any Shoemaker or his Deputy doth bring any Leather sufficiently tanned to any Currier to be curried, delivering sufficient Liquor for well dressing of the same, the same shall be by every such Currier well and sufficiently curried, and made ready for the Shoemaker, within the Space of Five Days in Summer, that is to say, from the First Day of *March* to the last Day of *September*, and also in like Manner within the Space of Ten Days in Winter, that is to say, from the First Day of *October* unto the last Day of *February*, upon Pain to forfeit to the Party grieved, for every Hide not curried and dressed in Manner and Form aforesaid, the Sum of Ten Shillings.

Penalty.

VI. Provided further, That this Proviso shall not extend to bind any Currier to dress any Leather, which he doing his best is not able to dress within every of the Times aforesaid, but shall extend to all such Leather as he conveniently may dress after the common Rate of dressing.

[See 5 & 6 E. 6. c. 15. note.]

C A P. IX.

An Act touching Ordinances and Rules in Cathedral Churches and Schools.

[See 6 Ann. c. 21.]

C A P. X.

2 & 3 E. 6. c. 16. **PR.** An Act for the Repeal of a Statute made for the uniting the Parish Churches of *Onger* and *Greensted* in the County of *Essex*.

"THE Parish Churches of *Onger* and *Greensted* in the County of *Essex* shall be several Parishes as they were before; and *James Morris* and his Heirs shall have the Presentation of the said Parsonage of *Onger*.

C A P.

C A P. XI.

An Act touching the Sea-Sands in *Glamorganshire*.

WHERE in the xxij. Year of the Reign of the excellent Prince of famous Memory, King *Henry* the Eighth, it was enacted and established, That Commissions of Sewers from Time to Time, when Need should require, should be directed to such substantial and indifferent Persons as should be named by the Lord Chancellor of *England*, the Lord Treasurer, the Lord Privy Seal, and the Two Chief Justices, or Three of them, whereof the Lord Chancellor to be one, authorising them, or Six of them, to survey Walls, Streams, Ditches, Banks, Gutters, Sewers, Causeys, Bridges, Trenches, Mills, Mill-dams, Flood-gates, Ponds, Cocks, Ebbing Wears, and other Lets and Nuisances, by Reason of the outrageous Course and Rage of the Sea, in and upon Marshes and other low Places; which good Law doth not extend, nor is not taken to give Authority and Power unto the said Commissioners of Sewers, to reform the great Hurt, Nuisance and Losses that cometh and chanceth to the Queen's Highness and her Subjects, by Reason of Sand arising out of the Sea, and driven to Land by Storms and Winds, whereby much good Ground lying on the Sea-coasts in sundry Places of this Realm, and especially in the County of *Glamorgan*, is covered with such Sand rising out of the Sea, that there cometh no Profit of the same, to the great Loss of the Queen's Highness and her loving Subjects, and more is like to ensue, if speedy Remedy be not therein provided :

23 H. 8. c. 5.
§ 1.

II. May it therefore please the Queen's Highness, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, Be it enacted, That as well the said Act of Sewers made in the said xxij. Year, as all Commissions of Sewers hereafter to be directed according to the Tenour of the said Act, may extend and give Authority, that the Commissioners therein named for the County of *Glamorgan*, or Six of them, whereof Three to be of the *Quorum*, shall by this Act, and the said former Act and Commission to them directed, have full Power and Authority from Time to Time to make such Laws, Provisions, Ordinances, Judgments and Decrees within the said County of *Glamorgan*, for the Redress and Saving of the said Grounds from Hurt and Destruction by Reason of the said Sands, as they might or may do by the said former Act and Commission for the withstanding and avoiding the outrageous Course and Rage of the Sea, or other Waters; any Usage or Custom to the contrary notwithstanding.

And Commissions of Sewers extended to *Glamorganshire*.

C A P. XII.

An Act for the Continuation of certain Statutes. EXP.

[Note, the Numbers of the Chapters are continued during these Three Sessions, and they are all on the same Roll.]

Anno primo & secundo PHILIPPI & MARIÆ.
(A.D. 1554.)

STATUTES made at a Parliament begun and holden at Westminster the Twelfth Day of November in the First and Second Years of the Reign of the most excellent and gracious PHILIP and MARY, by the Grace of God, King and Queen of England, France, Naples, Jerusalem and Ireland; Defenders of the Faith; Princes of Spain and Sicilie; Archdukes of Austria; Dukes of Milan, Burgundy and Brabant; Counts of Hapsburg, Flanders and Tyroll; and there continued and kept until the Dissolution of the same, being the xvj. Day of January then next ensuing: viz.

C A P. I.

An Act touching Letters Patents, and other Writings to be signed by the Queen's Majesty.

1 M. Sess. 3. c. 2. **W**HERE in the Parliament begun and holden at Westminster the Second Day of April in the First Year of the Reign of our most dread and gracious Sovereign Lady the Queen's Majesty, and there continued and kept till the Dissolution of the same, being the Fifth Day of May then next following, One Act was made touching the Articles of Her Highness's most noble Marriage, in the which Act among other Things it was enacted, ordered and established by the Authority of the said Parliament, That all and singular Gifts, Grants, Letters Patents, Exchanges, Confirmations, Leases and other Writings, which after the said Marriage and during the same, should pass and be made of any Benefices, Offices, Lands, Revenues and Fruits, or of any of them, should be intituled and made in the Names of our Sovereign Lord the King and of Her most excellent Highness, whether His Majesty should be present within the Realms and Dominions of Her Highness, or within any of them, or absent: And that the same Gifts, Grants, Letters Patents, Exchanges, Confirmations, Leases and other Writings so set forth and made, should be sealed and firmed with the Sign Manual of Her Highness; and the same so signed, and sealed with the Great Seal of this Realm, or with such Seal as hath been accustomed, should be by the Authority of the said Parliament deemed, adjudged, declared and pronounced to be as good, perfect, and of like Force, Strength and Effect in the Law, to all Intents, Constructions and Purposes, against our said Sovereign Lord and Lady the King and Queen's Majesties, and Her Highness's Heirs and Successors, as if Her Majesty had been at the Time of the making thereof sole and unmarried; and that all Gifts, Grants, Letters Patents, Exchanges, Confirmations, Leases and other Writings, which after the said Marriage, and during the Time of the same, should pass and be made of the said Benefices, Offices, Lands, Revenues and Fruits, or of any

any of them, whereunto the Sign Manual of Her Highness should not be set, made or put, shall be by the Authority of the said Parliament from Time to Time deemed, adjudged, accepted, taken and decreed to be of no Force ne Effect, but utterly frustrate and void in the Law, to all Intents, Constructions and Purposes; the said Marriage, or any Law, Usage or Custom to the contrary in any wise notwithstanding, as by the said Act more at large doth appear:

II. Sithence the making of which Statute, and the Solemnization of the said Marriage, the Queen's most Excellent Majesty hath been greatly molested, grieved and troubled, with of ten signing of Letters Patents, Gifts, Grants, Exchanges, Leases and other Writings concerning and touching Benefices, Offices, Lands, Revenues and Fruits, made and granted by and from our said Sovereign Lord the King and Her Highness to sundry of their most loving Subjects, to whom also it hath been and is no small Charge to attend, until such Time as they may procure and obtain the Sign Manual of Her Highness unto their said Letters Patents, Gifts, Grants, Exchanges, Confirmations and Leases, without which Sign the same are utterly void by force of the said Statute, to the great Danger, Loss and utter Undoing of divers Persons that have lately bought, purchased or obtained of our said Sovereign Lord and Lady, the King and Queen's Majesties, divers Lands, Tenements and other Hereditaments, to their great Costs and Charges:

III. For Remedy whereof, Be it enacted by the Authority of this present Parliament, That the said Branch or Article touching or concerning only the Signing of Letters Patents, Gifts, Grants, Exchanges, Confirmations, Leases, or of other Writings, for any Lands, Benefices, Offices, Revenues, Fruits or other Hereditaments, shall be from henceforth clearly repealed, and made frustrate and void to all Intents and Purposes. Repeal thereof.

IV. And be it further enacted by Authority of this present Parliament, That all and singular Letters Patents touching or concerning any Gift, Grant, Exchange, Confirmation, Lease or other Writing, the which sithence the said Marriage hath passed and been made of any Benefices, Offices, Manors, Lands, Tenements, Revenues, Fruits, Liberties or other Hereditaments, or of any of them, in the Names of our most dread Sovereign Lord and Lady the King and Queen's Majesties (the Warrant or Writing, or Warrants or Writings whereof, being signed with Her Highness Sign Manual, in such Form, Order and Degree, as the same heretofore hath been accustomed to be signed when Her Highness was sole and unmarried) shall be by Authority of this present Parliament of the same like Force, Strength and Effect in the Law, to all Intents, Constructions and Purposes as if the same were or had been signed by Her Highness Sign Manual, and as if Her Majesty had been at the Time of the making thereof sole and unmarried, and as they were before the making of the said Act; the said Estate, or any Branch or Article therein contained to the contrary in any wise notwithstanding. Confirmation of former Letters Patents, &c. signed with the Queen's Sign Manual.

C A P. II.

An Act for the Reformation of Exceſs in Apparel.

“ WHOEVER shall wear Silk in or upon his Hat, Bonnet, Girdle, Scabbard, Hoſe, Shoes or Spurleathers, ſhall be Three Months imprifoned, and forfeit x. li. except Mayors, Aldermen, &c. If any Perſon knowing his Servant to offend, do not put him forth of his Service within xiv. Days, or do retain him again, he ſhall forfeit C. li.

[*Repealed 1 Jac. I. c. 25. § 45.*]

C A P. III.

An Act againſt ſeditious Words and Rumours.

“ 3 E. I. c. 34. and 2 R. 2. Stat. 1. c. 5. touching telling of News, confirmed. Juſtices of Peace in every Shire, City, &c. ſhall have Authority to hear and determine the ſaid Offences, and to put the ſaid Two Statutes in Execution. § 1. If any Perſon ſhall be convicted or attainted for ſpeaking maliciously of his own Imagination, any falſe, ſeditious and ſlanderous News, Saying or Tales, of the King or Queen, then he ſhall for his Firſt Offence be ſet on the Pillory in ſome Market-place near where the Words were ſpoken, and have both his Ears cut off, unleſs he pay to the Queen an hundred Pound within One Month after Judgment given, and alſo ſhall be Three Months imprifoned. § 2. And if he ſhall ſpeak any ſuch ſlanderous and ſeditious News or Tales of the Speaking or Report of any other, then he ſhall be ſet on the Pillory, and have One of his Ears cut off, unleſs he pay an Hundred Marks to the Queen's Uſe within One Month after, and ſhall be One Month imprifoned. § 3. And if he ſhall do it by Book, Rhime, Ballad, Letter or Writing, he ſhall have his right Hand ſtricken off. § 4. And if any Perſon being once convicted of any of the Offences aforeſaid, do afterward offend, he ſhall be imprifoned during his Life, and forfeit all his Goods and Chattels. § 5. EXP.

C A P. IV.

An Act for the Punishment of certain Perſons calling themſelves *Egyptians*.

21 H. 8. c. 10.
§ 2.

“ WHERE in a Parliament holden at *Weſtmiſter* in the xxij. Year of the Reign of our late Sovereign Lord King Henry the Eighth, (for the avoiding and baniſhing out of this Realm of certain outlandiſh People calling themſelves *Egyptians*, uſing no Craft nor Feat of Merchandiſes for to live by, but going from Place to Place in great Companies, uſing great, ſubtil and crafty Means to deceive the King's Subjects, bearing them in Hand, that they by Palmiſtry could tell Mens and Womens Fortunes, and ſo many Times by Craft and Subtilty deceive the People of their Money, and committed divers great and heinous Felonies and Robberies, to the great Hurt and Deceit of the People;) it was amongſt other Things then enacted, That from the Time of the making of the ſaid Act no ſuch Perſons ſhould be ſuffered to come within this the King's Realm, upon Pain of Forfeiture to the King of all their Goods and Chattels, and then, to be commanded to avoid the Realm within Fifteen Days

next

‘ next after the Commandment, upon Pain of Imprisonment ; and
 ‘ such Persons calling themselves *Egyptians*, as were then within this
 ‘ Realm, should depart within Sixteen Days next after Proclama-
 ‘ tion of the said Act, upon Pain of Imprisonment, and For-
 ‘ feiture of all their Goods and Chattels, with divers other Clauses
 ‘ and Articles contained in the said Act, as by the said Act more
 ‘ at large it appeareth : Forasmuch as divers of the said Company,
 ‘ and such other like Persons, not fearing the Penalty of the said
 ‘ Statute, have enterprised to come over again into this Realm,
 ‘ using their old accustomed, devilish and naughty Practices and
 ‘ Devices, with such abominable Living as is not in any Christian
 ‘ Realm to be permitted, named or known, and be not duly pu-
 ‘ nished for the same, to the perilous and evil Example of our
 ‘ Sovereign Lord and Lady the King and Queen’s Majesties most
 ‘ loving Subjects, and to the utter and extreme undoing of divers
 ‘ and many of them, as evidently doth appear :’

II. For Reformation whereof, be it ordained and enacted by the King and Queen our Sovereign Lord and Lady, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons after the last Day of *January* next coming do willingly transport, bring or convey into this Realm of *England* or *Wales*, any such Persons calling themselves, or commonly called *Egyptians*, that then he or they so transporting, bringing or conveying in any such Persons, contrary to the true Meaning of this Act, shall forfeit and lose for every Time so offending, Forty Pounds of lawful Money of *England*. Bringing Egyptian into this Realm.

III. And be it further enacted by the Authority aforesaid, That if any of the said Persons called *Egyptians*, which shall be transported and conveyed into this Realm of *England* or *Wales* as is aforesaid, do continue and remain within the same by the Space of one Month, that then he or they so offending shall by virtue of this Act be deemed and judged a Felon and Felons, and shall therefore suffer Pains of Death, Loss of Lands and Goods, as in Cases of Felony, by the Order of the Common Law of this Realm, and shall upon the Trial of them or any of them therein so tried in the County, and by the Inhabitants of the County or Place, where they or he shall be apprehended or taken, and not *per medietatem lingue*, and shall lose the Benefit and Privilege of Sanctuary (a) and Clergy. Egyptians remaining in England a Month.

(a) [*Sanctuary taken away*, 21 Jac. 1. c. 28. § 7.] Death.

IV. And be it further enacted by the Authority aforesaid, That if the *Egyptians*, or other Persons commonly calling themselves *Egyptians*, and every of them, now being within this Realm of *England* or *Wales*, do not depart out of the same within xx. Days next after Proclamation of this present Act shall be made, that then he or they which shall not depart within the said Time, according to the true Meaning of this Act, shall forfeit and lose all his and their Goods and Chattels, and that then it shall be lawful to all and every the King’s and Queen’s Subjects to seize the same ; the one Moiety thereof to be to the Use of our Sovereign Lord and Lady, the King and Queen, and the other Moiety thereof to be to the Use of him or them that shall so seize the same. Egyptians being in England. Tarrying there.

V. And be it also enacted by the Authority aforesaid, That if the *Egyptians*, and other Persons commonly called *Egyptians*, and every of them, now being within this Realm of *England* and *Wales*, Penalty.

Egyptians not departing within forty Days.

Death.

do not depart out and from the same within xl. Days next after Proclamation shall be made of this Act, that then he or they which shall not depart and avoid within the said Time of xl. Days, according to the true Meaning of this Act, shall be judged and deemed according to the Laws of this Realm of *England*, a Felon and Felons, and shall suffer therefore Pains of Death, Loss of Lands and Goods, as in other Cases of Felony, and shall be tried as is aforesaid, and without having any Benefit or Privilege of Sanctuary or Clergy.

Suing of Licence
for Egyptians to
sary in England.

VI. And be it further enacted by the Authority aforesaid, That if any Person after the First Day of *January* next coming shall sue for the obtaining of any Licence, Letter or Passport, for any of the said Persons called *Egyptians* to abide or continue within this Realm of *England* or *Wales*, contrary to the Tenor of this Act, that then every such Person so suing shall forfeit and lose for the same xl. li. of lawful Money of *England*; And that every such Licence, Letter and Passport, shall be by virtue of this Act void to all Intents and Purposes; the One Moiety of all which Sums of Money, to be forfeited as is aforesaid, shall be to the King and Queen our Sovereign Lord and Lady, and the other Moiety thereof to be to him or them that will sue for the same in any Court of Record, by Action of Debt, Bill, Plaint or Information, wherein no Effoin, Wager of Law nor Protection shall be admitted and allowed.

Penalty.

Provide for cer-
tain Egyptians.

VII. Provided always, and be it enacted by the Authority aforesaid, That this present Act, nor any Thing therein contained, shall not extend or be hurtful to any of the said Persons commonly called *Egyptians*, which within the said Time of xx. Days next after the said Proclamation to be made as is aforesaid, shall leave that naughty, idle and ungodly Life and Company, and be placed in the Service of some honest and able Inhabitant or Inhabitants within this Realm, or that shall honestly exercise himself in some lawful Work or Occupation, but that he or they so continuing in Service, or other lawful Work or Occupation, shall during such Time as he or they shall so continue be discharged of all Pains and Forfeitures contained in this Act.

To what Persons
this Statute doth
not extend.

VIII. Provided also, and be it enacted by the Authority aforesaid, That this Act shall not in any wife extend to any Child or Children, being not above the Age of Thirteen Years, nor to any of the said Persons, being now in Prison, so that he or they so being in Prison do depart out of this Realm within Fourteen Days next after his or their Delivery out of Prison; nor shall extend to charge any manner of Person or Persons as accessory to any Offence or Offences contained or specified in this Statute. [See 23 G. 3. c. 51. which repeals 5 Eliz. c. 20.]

C A P. V.

An Act to restrain carrying of Corn, Victuals and Wood over the Seas.

WHEREAS sundry good Estatutes and Laws have been made within this Realm, in the Time of the Queen's Highness most noble Progenitors, That none should transport, carry or convey out of this Realm into any Place in the Parts beyond the Seas any Corn, Butter, Cheefe or other Victual,

“ (except only for the Victualling of the Towns of *Calice, Hames* and *Guifnes*, and the Marches of the same) upon divers great Pains and Forfeitures in the same contained; that notwithstanding many and sundry covetous and unsatiable Persons, seeking their only Lucres and Gains, have and daily do carry and convey innumerable Quantity, as well of Corn, Cheese, Butter and other Victual, as of Wood, out of this Realm into the Parts beyond the Seas, by reason whereof the said Corn, Victual and Wood are grown unto a wonderful Dearth and extreme Prices, to the great Detriment of the Commonwealth of this your Highness Realm, and your faithful Subjects of the same:”

II. For Remedy whereof, it may please your Highness that it may be enacted, and be it enacted by your Highness, by the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That no Manner of Person or Persons, after the xx. Day of *January* next coming, shall carry and transport out of this Realm by any Ship, Crayer or other Vessel whatsoever, into any Place in the Parts beyond the Seas, or into the Realm of *Scotland*, any Wheat, Rye, Barley or other Corn or Grain growing within this Realm, or any Malt made within the same, or any Beer (a), Butter, Cheese, Herring or Wood, (except only to and for the Victualling and Furniture of the Towns of *Calice, Hames* and *Guifnes*, and to the Town of *Berwick*, and the Marches of the same) without sufficient and lawful Authority so to do; upon the Pains and Penalties hereafter ensuing; that is to say, The Owner and Owners of the said Ships and other Vessels, to forfeit the said Ships, Crayers and other Vessels, with all their Apparels to them and every of them belonging, wherein the said Corn, Butter, Cheese, Herring, Victual or Wood shall be so transported and carried; and the Owner and Owners of the said Corn, Butter, Cheese, Herring and Wood, to forfeit the double Value of the same so carried and conveyed. And the Master and Mariners of every of the said Ships, Crayers and Vessels, for every such Offence, to forfeit all their Goods, and to be imprisoned by the Space of One whole Year, without Bail or Mainprize (b).

(a) [*As to Beer see 3 Jac. 1. c. 11. 1 W. & M. Sess. 1. c. 22. and see further 3 W. & M. c. 8.*] (b) [*But no Forfeiture to Master of Ship unless he act wittingly, 5 Eliz. c. 5. § 24.*]

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons after the said Twentieth Day of *January* do carry and convey away by Boat, Crayer or other Vessel, or otherwise, any Wheat, Rye, Barley, Malt, or other Corn or Grain, or any Beer, Butter, Cheese, Herring or Wood, to any Ship or Vessel being on the Seas or within any Haven, Creek or other Place of the Border of this Realm, to be transported, carried and conveyed into any Place in the Parts beyond the Seas, or into the Realm of *Scotland*, without sufficient Authority so to do, that then every Owner of the said Victuals, Corn or other Things aforesaid so transported or carried, and the Owner and Owners of every such Boat or Vessel, and the Boatman and Mariners of the same, shall lose, forfeit and suffer all such Forfeitures, Pains and Penalties as is above rehearsed: The one Moiety of all and every which Forfeiture and Forfeitures to be to the King and Queen's Highness, their Heirs and Successors, and the other Moiety to him or them that

Transporting
Corn, Butter,
Cheese, &c. out
of this Realm.

Penalty.

Carrying Corn,
Butter, &c. to
any Ship to be
transported.

Penalty.

will sue for the same, by Bill, Information, Action of Debt or otherwise, in any of the King and Queen's Highness Courts of Record, in which Action, Bill or Suit the Defendant shall not wage his Law, nor have any Essoin or Protection to him allowed.

Transporting
more Corn, &c.
than Party
licensed.

IV. And be it enacted by the Authority aforesaid, That if any Person or Persons shall obtain of the King and Queen's Majesties, their Heirs or Successors, or any of them, any Licence to carry and transport any Corn, Victual or Wood into any Parts beyond the Seas, that if he or they to whom any such Licence shall be granted, or any other to whom such Person or Persons having such Licence shall give, grant or sell his or their said Licence unto, shall carry and convey, or cause to be carried and conveyed, any more Corn, Victual or Wood, than shall be contained in his or their said Licence, he shall forfeit the treble Value of the said Corn, Victual or Wood so carried and transported without sufficient Authority, and shall suffer Imprisonment for One whole Year in the common Gaol where he shall be apprehended, there to remain without Bail or Mainprise.

Penalty.

Persons licensed
to lade all at one
Place.

V. And be it further enacted by the Authority aforesaid, That no Manner of Person or Persons after the said Twentieth Day of *January*, that shall obtain or have any such Licence for transporting and carrying any Corn, Victual or Wood into any Parts beyond the Seas, shall ship, lade and freight the same, or any Part thereof, at sundry Places within this Realm, but at one Place certain: upon Pain of Forfeiture of the said Corn, Victual and Wood, and all his Goods and Chattels; the one Moiety thereof to the King and Queen's Majesties, their Heirs and Successors, and the other Moiety thereof to him or them that will sue for the same, by Action of Debt, Bill, Plaint, Information or otherwise, wherein no Wager of Law, Essoin or Protection shall be to him or them allowed.

Penalty.

Justices may de-
termine
Offences.

VI. And for the better Execution of the Act, be it further enacted by the Authority aforesaid, That all and singular Justices of Peace, as well within the Liberties as without, within their several Authorities and Commissions, at any Time within Three Years next after such Offences committed, shall have full Power and Authority to inquire, as well by the Oaths of Twelve lawful Men, as also to hear and examine the Master, Masters and Mariners of the said Ships, Crayers and other Vessels, and all and every other Person and Persons of all and singular the Offenders against this present Act, and to hear and determine the same Offences, as they may and ought to hear and determine any other Trespasses or Offences.

At what Prices
Corn may be
transported.

VII. Provided always, and be it enacted by the Authority aforesaid, That at all Time and Times hereafter when the common Price of Corn within this Realm is, that Wheat shall not exceed the Price of Six Shillings and Eight-pence the Quarter, and Rye Four Shillings the Quarter, and Barley Three Shillings the Quarter, it shall be lawful to every Person and Persons to carry and transport over the Sea to any Place beyond the Seas at their Pleasure, any of the said Kinds of Corn, so that it be not to the King and Queen's Enemies. [See 31 G. 3. c. 30.]

Victualling of a
Ship.

VIII. Provided always, and be it enacted by the Authority aforesaid, That this Act ne any Thing herein contained shall extend to any Person or Persons for the necessary Victualling of any Ship, Ships or other Vessels, but that they and every of them may victual

equal the said Ships and Vessels, as they might have done before the making of this present Act; this Act or any Thing therein contained to the contrary notwithstanding.

IX. Provided always, and be it enacted by the Authority aforesaid, That this Act ne any Thing therein contained shall not be prejudicial or hurtful unto the Lord Great Admiral of *England* for the Time being, or to the King and Queen's Majesties Jurisdiction of the Admiralty, but that the said Lord Admiral, or his Deputy or Deputies, may and shall exercise, use and execute, all Kind of Jurisdiction belonging to the Sea, according to his or their Commissions, as they might lawfully have done heretofore; this Act or any Thing therein contained to the contrary notwithstanding.

Admiral's Jurisdiction reserved.

C A P. VI.

An Act for the reviving of Three Statutes made for the Punishment of Heresies.

[*Repealed, together with the Three Statutes, 1 Eliz. c. 1. § 15.*]

C A P. VII.

An Act that Persons dwelling in the Country shall not sell divers Wares, in Cities and Towns Corporate, by Retail.

WHERE before this Time the ancient Cities, Boroughs, Towns Corporate and Market-Towns within this Realm of *England* have been very populous, and chiefly inhabited with Merchants, Artificers and Handicraftsmen, during which Time the Children in the said Cities, Boroughs, Towns Corporate and Market-Towns, were civilly brought up and instructed, and also the said Cities, Boroughs and Towns Corporate, kept in good Order and Obedience, and the Inhabiters of the same well set on work, and kept from Idleness; By Reason whereof, the said Cities, Boroughs and Towns Corporate, did then prosper in Riches and great Wealth and were as then not only able to serve and furnish the King and Queen's Majesties, and other their Noble Progenitors Kings of this Realm, as well with great Numbers of good able Persons, and well furnished, meet for the Wars, as also then charged, and yet chargeable with great Fee-farms, *Quindismes*, Taxes, and divers other Payments to the King and Queen's Majesties, which at this present they be not able to pay and bear, but to their utter Undoing, being few in Number to pay and bear the same; but also the same Cities, Boroughs and Towns Corporate, are like to come very shortly to utter Destruction, Ruin and Decay; by Reason whereof the Occupiers, Linen-Drapers, Woollen-Drapers, Haberdashers and Grocers dwelling in the Countries out of the said Cities, Boroughs, Towns Corporate and Market-Towns, do not only occupy the Art and Mystery of the said Sciences in the Places where they dwell and inhabit, but also come unto the said Cities, Boroughs, Towns Corporate and Market-Towns, and there sell their Wares, and take away the Relief of the Inhabitants of the said Cities, Boroughs, Towns Corporate and Market-Towns, to the great Decay and utter Undoing of the Inhabitants of the same, if speedy Reformation therein be not had in Time convenient: For Remedy whereof, and for the better Amendment

of the said Cities, Boroughs, Towns Corporate and Market-Towns, and to the End the same Cities, Boroughs and Towns Corporate may be the better able to pay the said Fee-farms, and also to bear the other ordinary Charges within the same Cities, Boroughs and Towns Corporate, and to furnish the King and Queen's Majesties with Numbers of able Persons, like as they heretofore have done in Times past in Times of War :

Selling Wares,
&c. regulated.

II. Be it therefore enacted by our Sovereign Lord and Lady the King and Queen, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That any Person or Persons which do now inhabit and dwell, or hereafter shall inhabit or dwell, in the Country any where, or County within this Realm of *England*, out of any of the said Cities, Boroughs, Towns Corporate or Market-Towns, from and after the Feast of St. *Michael* the Archangel next coming, shall not sell or cause to be sold by Retail, any Woollen Cloth, Linen Cloth, Haberdashery Wares, Grocery Wares, Mercery Wares, at or within any of the said Cities, Boroughs, Towns Corporate and Market-Towns, or within the Suburbs or Liberties of the said Cities, Boroughs, Towns Corporate and Market-Towns within the said Realm of *England*, (except it be in open Fairs); upon Pain to forfeit and lose for every Time so offending, the Sum of *vj. s. viij. d.* and the whole Wares so sold, proffered and offered to be sold, contrary to the Form, Intent and Effect of this present Act, as above is said; the one Moiety of all which Forfeitures to be to the Use of our said Sovereign Lord and Lady, the King and Queen's Majesties, and the other Half to him or them that shall seise and sue for the same in any of the King and Queen's Courts of Record, by Bill, Complaint, Action of Debt, Information or otherwise, wherein no *Essoin*, Protection or Wager of Law shall be allowed.

Further Regulations.

III. Provided alway, That this Act shall not in any wise extend nor be hurtful to any Person or Persons, that bring any of the said Woollen Cloth, Linen Cloth, Haberdash, Grocery, Mercery Ware or Wares, to any of the said Cities, Boroughs, Towns Corporate or Market-Towns, to be sold or cause to be sold by Wholesale in Gross and not by Retail; but that they and every of them may lawfully sell the same in as large and ample Manner, Form and Condition, by Wholesale in Gross, and not by Retail, as they and every of them might have done at any Time or Times before the making of this Act; any Thing herein to the contrary notwithstanding.

To what Persons
Act not to extend.

IV. Provided alway, That this present Act shall not extend to any Person or Persons that now dwell or inhabit in the Country, or hereafter shall dwell or inhabit out of any of the said Cities, Boroughs, Towns Corporate or Market-Towns, but that they and every of them at any Time hereafter, when they or any of them shall be free of any of the Guilds and Liberties of any of the said Cities, Boroughs, Towns Corporate or Market-Towns, and dwell or inhabit within any of the same Cities, Boroughs, Towns Corporate or Market-Towns, that they and every of them so being free shall and may sell, or cause to be sold, any of the Wares aforesaid, by Retail, in as ample and large Manner as they and every of them might have done, being free of the said Cities, Boroughs and

and Towns aforesaid, before the making of this Act; any Clause or Article in this Act to the contrary notwithstanding.

V. Provided always, and be it enacted by the Authority aforesaid, That it shall be lawful to all Persons to sell or cause to be sold by Retail or otherwise, all Manner of Cloth, Linen or Woollen, of their own making, in every City, Borough, Town Corporate and Market-Town within this Realm, as freely and frankly as they might have done before the making of this Act; any Thing in the same contained to the contrary thereof notwithstanding.

Any Person may sell Cloth of his own making.

VI. Provided alway, That this Act, or any Thing therein contained, shall not be prejudicial or hurtful to the Liberties and Privileges of the Universities of *Cambridge* and *Oxford*, or either of them; any Thing in this Act heretofore mentioned to the contrary notwithstanding.

Liberties of Universities.

C A P. VIII.

An Act repealing all Statutes, Articles and Provisions made against the See Apostolick of *Rome*, since the Twentieth Year of King *Henry* the Eighth; and also for the Establishment of all Spiritual and Ecclesiastical Possessions and Hereditaments conveyed to the Laity.

WHEREAS since the Twentieth Year of King *Henry* the Eighth of famous Memory, Father unto your Majesty our most natural Sovereign, and gracious Lady and Queen, much false and erroneous Doctrine hath been taught, preached and written, partly by divers the Natural-born Subjects of this Realm, and partly being brought in hither from sundry other Foreign Countries, hath been sown and spread abroad within the same; By Reason whereof, as well the Spirituality as the Temporality of your Highness Realms and Dominions have swerved from the Obedience of the See Apostolick, and declined from the Unity of Christ's Church, and so have continued, until such Time as your Majesty being first raised up by God, and set in the Seat Royal over us, and then by his Divine and gracious Providence knit in Marriage with the most noble and virtuous Prince the King our Sovereign Lord your Husband, the Pope's Holiness and the See Apostolick sent hither unto your Majesties (as unto Persons undefiled, and by God's Goodness preserved from the common Infection aforesaid) and to the whole Realm, the most Reverend Father in God the Lord Cardinal *Pool*, Legate *de latere*, to call us home again into the right Way from whence we have all this long while wandred and strayed abroad; and we, after sundry long and grievous Plagues and Calamities, seeing by the Goodness of God our own Errors, have knowledged the same unto the said most Reverend Father, and by him have been and are the rather at the Contemplation of your Majesties received and embraced into the Unity and Bosom of Christ's Church, and upon our humble Submission and Promise made for a Declaration of our Repentance, to repeal and abrogate such Acts and Statutes as had been made in Parliament since the said Twentieth Year of the said King *Henry* the Eighth, against the Supremacy of the See Apostolick, as in our Submission exhibited to the said most Reverend

‘ Father in God by your Majesties appeareth : The Tenour where-
 of ensueth.

‘ II. We the Lords Spiritual and Temporal and the Commons,
 assembled in this present Parliament, representing the whole
 Body of the Realm of *England*, and the Dominions of the same,
 in the Name of ourselves particularly, and also of the said Body
 universally, in this our Supplication directed to your Majesties,
 with most humble Suit, that it may by your Graces Intercession
 and Mean be exhibited to the most Reverend Father in God, the
 Lord Cardinal *Pool*, Legate, sent specially hither from our most
 holy Father Pope *July* the Third, and the See Apostolick of
Rome, do declare ourselves very sorry and repentant of the
 Schism and Disobedience committed in this Realm and Domi-
 nions aforesaid against the said See Apostolick, either by making,
 agreeing or executing any Laws, Ordinances or Commandments,
 against the Supremacy of the said See, or otherwise doing or
 speaking, that might impugn the same: Offering ourselves and
 promising by this our Supplication, that for a Token and Know-
 ledge of our said Repentance, we be and shall be always ready,
 under and with the Authorities of your Majesties, to the utter-
 most of our Powers, to do that shall lie in us for the Abrogation
 and Repealing of the said Laws and Ordinances in this present
 Parliament, as well for ourselves as for the whole Body whom
 we represent: Whereupon we most humbly desire your Majesties,
 as Personages undefiled in the Offence of this Body towards the
 said See, which nevertheless God by his Providence hath made
 subject to you, so to set forth this our most humble Suit, that we
 may obtain from the See Apostolick, by the said most Reve-
 rend Father, as well particularly and generally, Absolution, Re-
 lease and Discharge from all Danger of such Censures and Sen-
 tences, as by the Laws of the Church we be fallen into; and
 that we may as Children repentant be received into the Bosom
 and Unity of Christ’s Church, so as this Noble Realm, with all
 the Members thereof, may in this Unity and perfect Obedience
 to the See Apostolick and Popes for the Time being, serve God
 and your Majesties, to the Furtherance and Advancement of
 his Honour and Glory. We are, at the Intercession of your
 Majesties, by the Authority of our holy Father Pope *July* the
 Third, and of the See Apostolick, absolved, discharged and de-
 livered from Excommunications, Interdictions and other Censures
 Ecclesiastical, which hath hanged over our Heads for our said
 Defaults since the Time of the said Schism mentioned in our Sup-
 plication (a): It may now like your Majesties, that for the Ac-
 complishment of our Promise made in the said Supplication, that
 is, to repeal all Laws and Statutes made contrary to the said
 Supremacy and See Apostolick, during the said Schism, the
 which is to be understood since the xx. Year of the Reign of the
 said late King *Henry* the Eighth, and so the said Lord Legate
 doth accept and recognise the same. (a) [*In this Place the
 following Words occur in the Editions by Tottel, Keble and Gay:*
 ‘ The which Time the said Lord Legate, and we do all declare,
 recognise and mean by this Act to be only since the xx. Year of
 the Reign of your most Noble Father King *Henry* the Eighth.’
But these Words do not appear upon the Roll.]

‘ III. Where

‘ III. Where in the Parliament begun and holden at *Westminster* 21 H. 8. c. 13. in the xxi. Year of the Reign of the late King of famous Memory, King *Henry* the Eighth, one Act was then and there made against Pluralities of Benefices, for taking of Fermes by Spiritual Men and for Non-residence, in the which Act, amongst other Things, it was ordained and enacted, That if any Person or Persons, at any Time after the First Day of *April* in the Year of our Lord God One thousand five hundred and thirty, contrary to the same Act, should procure and obtain at the Court of *Rome*, or elsewhere, any Licence or Licences, Union, Toleration or Dispensation, to receive and take any more Benefices with Cure than was limited and appointed by the same Act, or else at any Time after the said Day should put in Execution any such Licence, Toleration or Dispensation before that Time obtained contrary to the said Act, that then every such Person or Persons so after the said Day suing for himself, or receiving and taking such Benefice by Force of such Licence or Licences, Union, Toleration or Dispensation, that is to say, the same Person or Persons only, and no other, should for every such Default incur the Danger, Pain and Penalty of Twenty Pound Sterling, and should also lose the whole Profits of every such Benefice or Benefices, as he receiveth or taketh by Force of any such Licence or Licences, Union, Toleration or Dispensation: And where also in the said Act it was ordained and enacted, That if any Person or Persons did procure or obtain at the Court of *Rome*, or elsewhere, any manner of Licence or Dispensation to be Non-resident at their Dignities, Prebend or Benefices, contrary to the said Act, that then every such Person or Persons putting in Execution any such Dispensation or Licence for himself, from the said First Day of *April* in the Year of our Lord God MDXXX, should run and incur the Penalty, Damage and Pain of xx.l. Sterling for every Time so doing, to be forfeited and recovered as by the said Act is declared, and yet such Licence or Dispensation so procured, or to be put in Execution, to be void and of none Effect, as by the same Act more plainly it doth and may appear.’

“ 21 H. 8. c. 13. above mentioned repealed. § 4. 23 H. 8. c. 9.

“ 24 H. 8. c. 12. 21 H. 8. c. 20. PR. 25 H. 8. c. 19. 25 H. 8. c. 20.

“ 25 H. 8. c. 21. repealed. § 5—11. 26 H. 8. c. 1. 26 H. 8. c. 14.

“ 27 H. 8. c. 15. 28 H. 8. c. 10. 28 H. 8. c. 16. 28 H. 8. c. 7.

“ 31 H. 8. c. 9. 32 H. 8. c. 38. 35 H. 8. c. 3. repealed. § 12—20.

“ So much of 35 H. 8. c. 1. as toucheth the Oath against the

“ Supremacy, and all Oaths thereupon had, made and given,

“ repealed. § 21. 37 H. 8. c. 17. repealed. § 22.

‘ XXIII. And where one other Act was made at the First Session of the Parliament holden at *Westminster* in the First Year of the Reign of King *Edward* the Sixth, entituled, ‘ An Act for the Repeal of certain Statutes, concerning Treasons, Felonies, &c.’ In the which Act, amongst other Things, there is contained certain Provisions, Pains, Penalties and Forfeitures, for and against such as should by open Preachings, expresse Words, Sayings, Writing, Printing, Overt-Deed or Act, affirm or set forth, that the King of this Realm, for the Time being, is not or ought not to be the Supream Head in Earth of the Churches of *England* and *Ireland*, ne of any of them, or that the Bishop of *Rome*,

1 E. 6. c. 12.

§ 6, 7.

‘ *Rome*, or any other Person or Persons, other than the King of
 ‘ *England* for the Time being, is or ought to be Supream Head
 ‘ of the same Churches, or any of them, as in the same Act last be-
 ‘ fore rehearsed more at large is contained and may appear :’ Be
 it enacted by the Authority of this present Parliament, That these
 Clauses before rehearsed, and other of the said Act concerning
 the Supremacy, and all and every Branch, Article, Words and
 Sentence in the same, sounding or tending to the Derogation of
 the Supremacy of the Pope’s Holiness, or the See of *Rome*, and
 all Pains, Penalties and Forfeitures made against them that should
 by any Means set forth and extol the said Supremacy, shall be from
 henceforth utterly void and of none Effect.

Repealed.

“ All Statutes made against the Supremacy of the Pope or See
 “ Apostolick since the 20 H. 8. repealed. § 24.

‘ And where we your most humble Subjects, the Lords Spiritual
 ‘ and Temporal, and Commons, in this present Parliament assembled,
 ‘ have exhibited to your Majesties one other Supplication in Form
 ‘ following :

Articles may be
 confirmed.

‘ XXV. We the Lords Spiritual and Temporal, and the Com-
 ‘ mons, in this present Parliament assembled, representing the whole
 ‘ Body of this Realm, reduced and received by your Majesties In-
 ‘ tercession to the Unity of Christ’s Church, and the Obedience of
 ‘ the See Apostolick of *Rome*, and the Pope’s Holiness governing
 ‘ the same, make most humble Suit unto your Majesties to be like
 ‘ wise Means and Intercessors, that all Occasions of Contention,
 ‘ Hatred, Grudge, Suspicion and Trouble, both outwardly and
 ‘ inwardly in Mens Consciences, which might arise amongst us by
 ‘ reason of Disobedience, may by Authority of the Pope’s Holi-
 ‘ ness, and by Ministration of the same unto us by the most Re-
 ‘ verend Father in God the Lord Cardinal *Pool*, by Dispensation,
 ‘ Toleration or Permission respectively, as the Case shall require,
 ‘ be abolished and taken away, and by Authority sufficient these
 ‘ Articles following, and generally all others, when any Occasion
 ‘ shall require, may be provided for and confirmed.

What Ecclesiastical Founda-
 tions continued.

‘ XXVI. First, That all Bishopricks, Cathedral Churches,
 ‘ Hospitals, Colleges, Schools and other such Foundations now
 ‘ continuing, made by Authority of Parliament, or otherwise
 ‘ established according to the Order of the Laws of this Realm,
 ‘ sithence the Schism, may be confirmed and continued for ever.

Marriages.

‘ XXVII. Item, That Marriages made *infra gradus prohibitos*
 ‘ *consanguinitatis, affinitatis, cognationis spiritualis*, or which might be
 ‘ made void *propter impedimentum publicæ honestatis, justitiæ*, or for
 ‘ any other Cause prohibited by the Canons only, may be con-
 ‘ firmed, and Children born of those Marriages declared legitimate,
 ‘ so as those Marriages were made according to the Laws of the
 ‘ Realm for the Time being, and be not directly against the Laws
 ‘ of God, nor in such Case as the See Apostolick hath not used to
 ‘ dispense withal.

Institutions of
 Benefices, &c.

‘ XXVIII. That Institutions of Benefices, and other Promo-
 ‘ tions Ecclesiastical, and Dispensations made according to the
 ‘ Form of the Act of Parliament, may be likewise confirmed.

Made upon Ap-
 peals.

‘ XXIX. That all judicial Process made before any Ordina-
 ‘ naries of this Realm, or before any Delegates upon any Ap-
 ‘ peals,

peals, according to the Order of the Laws of this Realm, may be likewise ratified and confirmed.

XXX. And finally, where certain Acts and Statutes have been made in the Time of the late Schism, concerning the Lands and Hereditaments of Archbishopricks and Bishopricks, the Suppression and Dissolution of Monasteries, Abbeyes, Priories, Chantries, Colleges, and all other the Goods and Chattels of Religious Houses; since the which Time the Right and Dominion of certain Lands and Hereditaments, Goods and Chattels, belonging to the same, be dispersed abroad, and come to the Hands and Possessions of divers and sundry Persons, who by Gift, Purchase, Exchange and other Means, according to the Order of the Laws and Statutes of this Realm for the Time being, have the same: For the Avoiding all Scruples that might grow by any the Occasions aforesaid, or by any other Ways or Means whatsoever, It may please your Majesties to be Intercessors and Mediators to the said most Reverend Father Cardinal *Pool*, that all such Causes and Quarrels, as by Pretence of the said Schism, or by any other Occasion or Mean whatsoever might be moved by the Pope's Holiness or See Apostolick, or by any other Jurisdiction Ecclesiastical, may be utterly removed and taken away; so as all Persons having sufficient Conveyance of the said Lands and Hereditaments, Goods and Chattels as is aforesaid, by the Common Laws, Acts or Statutes of this Realm, may without Scruple of Conscience enjoy them without Impeachment or Trouble by Pretence of any general Council, Canons or Ecclesiastical Laws, and clear from all Dangers of the Censures of the Church.

Lands and Goods of Bishopricks, &c. dispersed, shall so continue.

XXXI. And conformably hereunto, the Bishops and Clergy of the Province of *Canterbury* have presented to your Majesties a Supplication, in this Tenour that followeth.

NOS *Episcopi et Clerus Cantuariensis Provincie in hac Synodo more nostro solito, dum Regni Parliamentum celebratur, congregati, cum omni debita humilitate et reverentia, exponimus Majestatibus vestris, quod licet Ecclesiarum quibus in Episcopos, Decanos, Archidiaconos, Rectores et Vicarios prefati sumus, et animarum, qua nobis et cure nostre subiecte sunt, et earundem bonorum, jurisdictionum et iurium, ex sacrorum Canonum dispositione, defensores et curatores constituti sumus, et propterea ipsarum bona, jurisdictiones, et jura in pernicioso hujus Regni praterito schismate deperdita et amissa, omni studio, et totis nostris viribus recuperare, et ad pristinum Ecclesiarum jus revocare, juris remediis nisi deberemus: Nihilominus tamen habito prius per nos super hac re maturo consilio, et deliberatione, ingenue fateamur nos optime cognoscere quam hac bonorum Ecclesiasticorum difficultas et quasi impossibilis esset recuperatio, propter multiplices ac pene inextricabiles super his habitos contrarius et dispositiones, et quod si ea tentaretur, quies et tranquillitas Regni facile perturbaretur, et unitas Ecclesie Catholice, que jam pietate et auctoritate Majestatum vestrarum, hoc in Regno introducta est, cum maxima difficultate suum debitum progressum et finem sortiri posset: Ideo nos benam et quietem publicam privatis commoditatibus, et salutem tot animarum precioso Christi sanguine redemptarum terrenis bonis antepponentes, et non que nostra sed que Jesu Christi sunt querentes, Majestates vestras enixe rogamus, ejusque humiliter supplicamus, ut reverendissimo in Christo Patri Domino Reginaldo Cardinali Polo, ad ipsas et universum Angliæ*

The Clergy's Petition.

† Sic.

† Sic.

† Sic.

Angliæ regnum sanctissimi Domini nostri, Domini Julii Pape tertii, et Apostolica sedis de latere Legato, hæc nomine nostro insinuare, et apud eum intercedere dignentur, ut in his bonis Ecclesiasticis, in parte vel in toto, arbitrio suo juxta facultates sibi ab eodem sanctissimo Domino nostro Papa concessas, eorundem bonorum detentoribus, clargiendis et relaxandis, publicum bonum privato, pacem et tranquillitatem diffidui et perturbationibus, atque animarum salutem bonis terrenis præferre et anteponeere velit. Nos enim in omnibus quæ ab ipso Legato statuta et ordinata circa hæc bona fuerint, exnunc, prout extunc, et e contra consensum † nostrum præsumus, imo etiam et in præmissis se difficilem aut restrictum reddere non velit, Majestates vestre nostro nomine eum hortari, et rogare dignabuntur. Insuper Majestatibus vestris supplicamus ut pro sua pietate efficere dignentur, ut ea quæ ad jurisdictionem nostram et libertatem Ecclesiasticam pertinent, sine quibus debitum nostri pastoralis officii et curæ animarum nobis commissa exercere non possumus, nobis superiorum temporum injuria ablata, restituantur, et ea nobis et Ecclesiis † perpetuo illesa et salva permaneant, et ut omnes leges, quæ hanc nostram jurisdictionem et libertatem Ecclesiasticam tollunt, seu quovis modo impediunt, abrogentur, ad honorem Dei et Majestatum vestrarum, et universi hujus Regni spirituale et temporale commodum et salutem; certam spem etiam habentes, Majestates vestras, pro sua singulari in ipsum Deum pietate, proque multis et insignibus ab ipsius Dei bonitate acceptis beneficiis, necessitatibus et incommodis hujus sui Regni, Ecclesiarum maxime curam animarum habentium, nunquam defuturas esse, sed prout opus fuerit, consulturas atque provisuras.

‘ XXXII. Forasmuch as the said most Reverend Father the
 ‘ Lord Legate, at the Intercession of your Majesties, hath by
 ‘ the Authority of the See Apostolick sufficiently dispensed in the
 ‘ Matters specified in the said several Supplications, as in his
 ‘ said Letters of Dispensation is contained more at large: The
 ‘ Tenor whereof ensueth,

REGINALDUS miseratione divina Sanctæ Mariæ in Cosmodin
 Sanctæ Romanæ Ecclesiæ Diaconus, Cardinalis Polus nuncupatus,
 ad Serenissimos Philippum et Mariam, Angliæ Reges, fidei Defensores,
 et universum Angliæ regnum, sanctissimi Domini nostri Pape et sedis
 Apostolicæ de latere Legatus, eisdem Serenissimis Philippo et Mariæ
 Regibus salutem in Domino sempiternam. Cum supremum Consilium
 istius Regni, Parlamentum nuncupatum, Majestatibus vestris, per suos
 supplices libellos exposuisset, quod perniciosissimo schismate in hoc regno
 alias vigente, quod nunc Dei misericordia et Majestatum vestrarum
 pietate extinctum est, autoritate ipsius Parliamenti, nonnulli Episcopatus
 divisi, et ex his aliquæ inferiores Ecclesiæ, in Cathedralis creære, et scholæ
 atque hospitalia fundata, necnon plurimæ dispensationes, et beneficiorum
 provisiones factæ fuerunt, ac multe persone quibus persuasum fuerat,
 juris Canonici dispositiones † hoc in Regno amplius locum non habere,
 inter se in gradibus consanguinitatis vel affinitatis de jure prohibitis, et
 aliis impedimentis Canonici sibi obstantibus, matrimonia per verba de
 presentis contraxerunt, et multi actus judiciarii et processus, tam in pri-
 mis quam ulterioribus instantiis super rebus spiritualibus et Ecclesiasticis,
 eorum Judicibus tam Ordinariis quam Delegatis, qui auctoritate laicali
 procedebant, habiti et servati, ac super eis etiam sententiæ late et pro-
 mulgate fuerunt, et bona Ecclesiastica per diversas ejusdem regni personas
 occupata et apprehensa fuerunt: Quæ quidem, licet ex sacrorum Canonum
 institutis irrita declarari possent, tamen si ad alium statum, quam in quo

The Dispensa-
 tion of Cardinal
 Pool Legate de
 latere.

† Sic.

nunc sunt, revocarentur, publica pax et quies universi regni turbaretur, et maxima confusio ori retur, præsertim si dictorum bonorum possessores molestarentur; et propterea Majestatibus vestris humiliter supplicaverint, ut apud nos intercedere dignentur, ut præmissarum rerum firmitati et stabilitati, et simul hujus regni quieti et tranquillitati, de benignitate Apostolica providere velimus; Cumq; Episcopi quoq; deinde ac reliquis provincie Cantuariensis Clerus, totum fere corpus Ecclesiasticorum regni representans, ad quos hæc bonorum Ecclesiasticorum causa maxime pertinet, exposuerint, quod hæc bona ad jus Ecclesiarum revocari non possunt, quin pax universalis, et quies hujus regni turbetur, et causa fidei atque unitatis Ecclesiæ, jam toto omnium consensu hoc in regno introducitur, in maximum periculum adducatur; et propterea ipsi quoque supplicaverint, ut apud nos intercedere velint, ut in his bonis Ecclesiasticis possessoribus relaxandis restricti et difficiles esse nolemus, Majestates autem vestre, ad quas maxime spectat providere, ut regnum ipsarum potestati, regimini, et curæ commissum, in pace et tranquillitate conservetur, his supplicationibus et postulatis cognitis et mature consideratis, judicaverint ea omnia, et maxime illa quæ in bonorum Ecclesiasticorum causa petuntur, pro causa fidei, et pro pace publica, per nos debere sine ulla dilatione concedi, et quemadmodum rogatae fuerunt, apud nos intercedere dignatae fuerint; prout in supplicationibus per idem supremum Concilium et Episcopos ac Clerum præfatum Majestatibus vestris porrectis, atque in libello intercessionis per easdem Majestates vestras vobis simul cum aliis supplicationibus exhibitio, latius apparet. Idcirco nos qui ad Majestates vestras et hoc nobilissimum vestrum Regnum, a Sanctissimo Domino nostro Julio Papa tertio, ipsius et sedis Apostolicæ de latere Legati missi sumus, ut regnum istud, quod jam diu ab Ecclesiæ Catholice unitate separatum fuerat, Deo et Ecclesiæ Christi, ejusque in terris Vicario reconciliaremus, et ut ea omnia quæ ad pacem et tranquillitatem hujus regni pertinerent, omni studio procuraremus, postquam Dei benignitate, et Majestatum vestrarum pietate, per auctoritatem ejusdem Sanctissimi domini nostri Papæ, cujus vices hic suslinemus, reconciliatio jam facta est, ut paci et tranquillitati regni præfati consulamus; atq; ut unitas Ecclesiæ, (ex qua salus animarum pretioso Christi sanguine redemptarum dependet, hoc in regno jam introducitur) corroboretur, et salva permaneat; cum utriusq; rei stabilitatem in eo maxime consistere, si horum bonorum Ecclesiasticorum possessoribus molestia nulla inferatur, quo minus ea teneant, tot et tam gravia testimonia nobis fidem faciant, et Majestatum vestrarum intercessio, quæ pro unitate Ecclesiæ, et sedis Apostolicæ auctoritate, hoc in regno instauranda, tam studiose et tam pie elaborarunt, eam quam par est auctoritatem apud nos habeat, et ut universum hoc regnum sedis Apostolicæ maternam vere indulgentiam, et charitatem erga se, agnoscat et re ipsa experiat: Quoscunq; ad quos infra scripta pertinent, a quibusvis excommunicationis, suspensionis et interdicti aliisq; Ecclesiasticis sententiis, censuris et penis a jure vel ab homine quavis occasione vel causa latis, si quibus quomodolibet innodati existant, ad effectum præsentium duntaxat consequendum harum serie absolventes et absolutos fore censentes, auctoritate Apostolica, per literas sanctissimi Domini nostri Dom. Julii Papæ tertij nobis concessa, et qua fungimur in hac parte, tenore præsentium dispensamus; quod omnes et singule Cathedralium Ecclesiarum erectiones, hospitalium et scholarum fundationes, tempore præteriti schismatis, licet de facto et nulliter attentatæ, in eo statu in quo nunc sunt, perpetuo firmæ et stabiles permaneant, illisq; Apostolica firmitatis robur adjicimus, ita ut non ea auctoritate qua prius, sed ea quam nunc eis tribuimus, factæ ab omnibus censeantur. Et cum omnibus et singulis

Cardinal Pont
sent to reconcile
the Realm to
God, Christi's
Church, and his
Vicar in Earth.

+ Sic.

The Erection of
all Cathedral
Churches, &c.
during Schism
confirmed.
Dispensation
with certain
Marriages
Legitimation of
Children.

ſingulis perſonis regni prædicti, quæ in aliquo conſanguinitatis vel affinitatis gradu etiam multiplici, vel cognationis ſpiritualis ſeu publicæ honeſtatis juſtitia impedimento de jure poſitivo introductis, et in quibus Sanctiſſimus Dominus noſter Papa diſpensare conſuevit, matrimonia ſcienter vel ignoranter de ſaâo contraxerint, ut aliquo impedimentorum præmiſſorum non obſtante, in eorum matrimoniis ſic contractis, libere et licite remanere, ſeu illa de novo contrahere poſſint, miſericorditer in Domino diſpensamus, prolem ſuſceptam, ſuſcipiendam, legitimam decernentes, ita tamen ut qui ſcienter et malitioſe contraxerint, a ſententia excommunicationis, et ab inceſtus ſeu ſacrilegij reatu, abſolutionem a ſuo Ordinario vel Curato quibus id faciendi facultatem concedimus obtineant: Ac omnes Eccleſiaſticas, ſeculares, ſeu quorumvis ordinum regulares perſonas, quæ aliquas impetrationes, diſpenſationes, conſeſſiones, gratias et indulgias, tam ordines quam beneficia Eccleſiaſtica, ſeu alias ſpirituales materias, prætenſa auctoritate ſupremitatis Eccleſiæ Anglicanæ, licet nulliter et de ſaâo obtinuerint, et ad cor reuerſe Eccleſiæ unitati reſtitute fuerint, in ſuis ordinibus et beneficiis per nos ipſos, ſeu a nobis ad id deputatos, miſericorditer recipiemus, prout jam multis receptæ fuerunt, ſecumq; ſuper his opportune in domino diſpenſabimus. Ac omnes proceſſus in quibuſvis inſtantiis coram quibuſvis Judicibus, tam ordinarijs quam delegatis, etiam laicis, ſuper materijs ſpirituallibus habitos et formatos, et ſententias ſuper eis latas, licet nulliter et de ſaâo, quoad nullitatem ex defectu juriſdictionis præſato tantum inſurgentem, ſanamus, illoſq; et illas auctoritate Apoſtolice confirmamus. Ac quibuſvis hujus regni perſonis, ad quorum manus bona Eccleſiaſtica ex quocunq; contractu ſeu titulo oneroſo vel lucrativo jam devenerint, illaque tenuerint, ſeu etiam teneant, omnes et quoſcunq; fruſtus ex ejuſdem bonis, licet indebite perceptos, in totum remittimus et relaxamus: Volentes ac decernentes, quod dictorum bonorum Eccleſiaſticorum tam mobilium quam immobilium poſſeſſores præſati non poſſint in præſenti nec in poſterum, ſeu per conciliorum generalium vel provincialium diſpoſitiones, ſeu decretales Romanorum Pontiſicum Epistoſas, ſeu aliam quancunq; cenſuram Eccleſiaſticam in dictis bonis, ſeu eorundem poſſeſſione moleſtari, inquietari vel perturbari, nec eis aliqua cenſuræ vel pænæ Eccleſiaſticæ propter hujusmodi detentionem, ſeu non reſtitutionem irrogari vel infligi, et ſic per quoſcunq; Judices et Auditores, ſublata eis quavis aliter judicandi et interpretandi facultate et auctoritate, judicari et deſiniri debere, et quicquid ſecus attemptari contigerit, irritum et inane fore decernimus, non obſtantibus præmiſſis defectibus et quibuſvis Apoſtolicis, ac in provincialibus et ſynodalibus concilijs editis, ſpecialibus vel generalibus, conſtitutionibus et ordinationibus ceteriſque contrariis quibuſcunq; Admonemus tamen, cum diſviſio Episcopatum et erectio Cathedralium Eccleſiarum ſint de majoribus cauſis, quæ ſummo Pontiſici ſunt reſervate, recurrendum eſſe ad ſuam ſanctitatem, et ab ea ſimpliciter poſtulandum, ut hæc confirmare, ſeu de novo facere digneſtur; Et licet omnes res mobiles Eccleſiarum indiſtincte eis qui eos ⁊ tenent relaxaverimus, eos tamen admonitos eſſe volumus, ut ante oculos habentes divini judicii ſeveritatem contra Balthaſarem Regem Babylonis, qui vaſa ſacræ non a ſe, ſed a patre e templo ablata in prophanos uſus convertit, ea proprijs Eccleſiis ſi extant, vel alijs reſtituant. Hortantes etiam, et per viſcera miſericordiæ Jeſu Chriſti obſtantes, eos omnes quos hæc res tangit, ut ſalutis ſuæ non omnino immemores, hoc ſaltem efficiant, ut ex bonis Eccleſiaſticis, maxime iis quæ ratione perſonatum et vicariatuum populi miniſtrorum ſuſtentationi fuerint ſpecialiter deſtinata, ſeu alijs Cathedralibus, et alijs quæ nunc extant inferioribus Eccleſiis curam animarum exercentibus, ita prævideatur, ut earum paſtores, perſonæ et vicarij, com-

Matification of
Proceſſes, &c. in
Matters Eccle-
ſiaſtical.

Lands and Goods
of the Church
come to the
Hands of others
ſhall continue.

† Sige.

An Admonition
to thoſe that
hold the Goods
of the Church.

mode et boneſte juxta eorum qualitatem et ſtatum ſuſtentari poſſint, et curam animarum laudabiliter exercere, et onera incumbencia congrue ſupportare. Datum Lambeth prope Londinum, Wintonien. Dioceſſ. Anno Nativitatis Dom. MDLIV. Nono Calend. Januarij, Pontif. Sanctiſſimi in Chriſto patris, et Domini noſtri Julij, divina pr videntia, Pape tertii, anno quinto.

Reginaldus Cardinalis Polus Legatus.

We the ſaid Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, rendering moſt humble Thanks to your Maſteſties, by whoſe Interceſſion and Means we have obtained the ſaid Diſpenſations of the Pope's Holineſs, by the ſaid moſt reverend Father in God, his Legate, moſt humbly beſeech the ſame, that it may be ordained as followeth :

XXXIII. And therefore be it enacted by the Authority of this preſent Parliament, That all and ſingular Articles and Clauſes contained in the ſaid Diſpenſation, as well touching the Eſtabliſhment of Biſhopricks and Cathedral Churches, as alſo the Confirmation of Marriages in Degrees prohibited by the Canons of the Church, the Legitimation of Children, and the Ratification of Proceſſes, and of Sentences in Matters Eccleſiaſtical, touching the Invalidity of them for want of Jurisdiction, and the Inſtitutions and Deſtitutions of and in Benefices and Promotions Eccleſiaſtical, Diſpenſations and Graces given by ſuch Order as the publick Laws of the Realm then approved, and all other Things before contained in the ſaid Letters of Diſpenſations, ſhall remain and be reputed and taken to all Intents and Conſtructions in the Laws of this Realm, lawful, good and effectual, to be alledged and pleaded in all Courts Eccleſiaſtical and Temporal, for good and ſufficient Matter, either for the Plaintiff or Defendant, without any Allegation or Objection to be made againſt the Validity of them, by Pretence of any general Council, Canon or Decree to the contrary made or to be made in that Behalf.

The Cardinal's
Diſpenſation
confirmed by
Parliament.

XXXIV. And whereas divers and ſundry late Monafteries, Priors, Commandries, Nunneries, Deanaries, Prebends, Colleges, Hoſpitals, Houſes of Fryers, Chantries and other Religious and Eccleſiaſtical Houſes and Places, and the Manors, Granges, Meſſuages, Lands, Tenements, Rectories, Tithes, Penſions, Portions, Vicarages, Churches, Chapels, Advowſons, Nominations, Patronages, Annuities, Rents, Reverſions, Services, and other Poſſeſſions and Hereditaments to the ſaid late Monafteries, Priors, Nunneries, Commandries, Deanaries, Chantries, Prebends, Houſes of Fryers, Colleges, Hoſpitals, and other Religious and Eccleſiaſtical Houſes and Places, and ſundry Archbiſhopricks and Biſhopricks within this Realm, late appertaining and belonging, came as well to the Hands and Poſſeſſions of the ſaid King of famous Memory, Henry the Eighth, Father unto your Maſteſty our ſaid Sovereign Lady, by Diſſolution, Gift, Grant, Surrender, Attainder or otherwiſe, as alſo to the Hands and Poſſeſſion of divers and ſundry other Perſons, and Bodies Politick and Corporate, by ſundry Means, Conveyances and Aſſurances, according to the Order of the Laws and Statutes of this Realm.

XXXV. And where alſo divers Manors, Lands, Tenements and Hereditaments, Parcel of the Poſſeſſions of Archbiſhopricks and Biſhopricks, and many and ſundry late Deanaries, Colleges, Chantries,

Chuntries, Rectories, Prebends, Free Chapels, Guilds and Fraternities, Manors, Houses, Granges, Lands, Tenements, Rents, Services and other Ecclesiastical Possessions and Hereditaments, Goods and Chattels to the said Archbishopricks, Bishopricks, Deanaries, Colleges, Chuntries, Free Chapels, Rectories, Guilds and Fraternities, late appertaining and belonging, or appointed to and for the finding of Priests, Obits, Lights, or other like Purpose, came as well to the Hands and Possessions of the said late noble King *Edward* the Sixth, Brother unto your Majesty our Sovereign Lady, by Virtue of an Act of Parliament thereof made, or otherwise; as also to the Hands and Possession of divers and sundry other Persons, and Bodies Politick and Corporate, by sundry Means, Conveyances and Assurances, according to the Order of the Laws of this Realm; a great Number of which said late Monasteries, Priories, Nunneries, Commandries, Deanaries, Colleges, Hospitals, Prebends, Chuntries, Free Chapels, Guilds and Fraternities, and the Manors, Granges, Messuages, Lands, Tenements, Rents, Reversions, Services, Tithes, Pensions, Portions, Vicarages, Churches, Chapels, Advowsons, Nominations, Patronages, Annuities and Hereditaments, Goods and Chattels, to the said Monasteries, Priories, Nunneries, Commandries, Deanaries, Colleges, Hospitals, Chuntries, Free Chapels, Guilds, Fraternities and other Ecclesiastical Houses, Archbishopricks and Bishopricks belonging, as well for great Sums of Money, as for other good and reasonable Causes and Considerations, have been conveyed and assured to divers the Subjects and Bodies Politick of this Realm, as well by the said King *Henry* the Eighth, the said King *Edward* the Sixth, and by your Highness our Sovereign Lady, and jointly by both your Majesties, as also by divers the Owners of the said Ecclesiastical Possessions; which said Conveyances and Assurances by their sundry Letters Patents and other Writings more plainly do and may appear. Forasmuch as the said most Reverend Father hath also by the said Dispensations removed and taken away all Matter of Impeachment, Trouble and Danger, which by Occasion of any General Council, Canon or Decree Ecclesiastical, might touch and disquiet the Possessions of such Goods moveable, Lands, Tenements, Possessions and Hereditaments, as were of late belonging to any of the said Archbishopricks, Bishopricks, Monasteries, Priories, Nunneries, Commandries, Deanaries, Colleges, Chuntries, Prebends, Rectories, Hospitals, Houses of Friars, or other Religious and Ecclesiastical Houses and Places of what Nature, Name, Kind or Quality soever they be of; Yet for that the Title of all Lands, Possessions and Hereditaments, in this your Majesties Realm and Dominions, is grounded in the Laws, Statutes and Customs of the same, and by your high Jurisdiction, Authority Royal, and Crown Imperial, and in your Courts only, to be impleaded, ordered, tried and judged, and none otherwise; and understanding that the whole, full, and most gracious Intents, Mind and Determination of your most excellent Majesties be, That all and every Person and Persons, Bodies Politick and Corporate, their Heirs, Successors and Assigns, and every of them, shall have, keep, retain and enjoy all and every their Estates, Rights, Possessions and Interests that they and every of them now have, or hereafter

Force of the
 Cardinal's Dis-
 pensations.

The Title of all
 Lands is ground-
 ed upon the Laws
 of the Realm,

'after shall have, of and in all and every the Manors, Granges, Messuages, Lands, Tenements, Tithes, Pensions, Portions, Advowsons, Nominations, Patronages, Annuities, Rents, Reversions, Services, Hundreds, Wapentakes, Liberties, Franchises, and other the Possessions and Hereditaments of the said Monasteries, Abbies, Priories, Nunneries, Commandries, Deanaries, Colleges, Prebends, Hospitals, Houses of Fryers, Chantries, Rectories, Vicarages, Churches, Chapels, Archbishopricks, Bishopricks and other Religious or Ecclesiastical Houses or Places, or of any of them, within this Realm or the Dominions of the same, by such Laws and Statutes as were in Force before the First Day of this present Parliament, and by other lawful Conveyance to them thereof made.'

XXXVI. That it may be enacted by the Authority of this present Parliament, That as well your Majesty, Sovereign Lady, your Heirs and Successors, and also all and every other Person and Persons, Bodies Politick and Corporate, their Heirs, Successors and Assigns now having, or that hereafter shall have, hold or enjoy any of the Scites of the said late Monasteries, and other the Religious or Ecclesiastical Houses or Places, and all the said Manors, Granges, Messuages, Lands, Tenements, Tithes, Pensions, Portions, Glebe Lands, Advowsons, Nominations, Patronages, Annuities, Rents, Reversions, Services, Hundreds, Wapentakes, Liberties, Franchises, Profits, Commodities, and other the Possessions and Hereditaments of the said late Monasteries; Abbies, Priories, Nunneries, Commandries, Deanaries, Colleges, Prebends, Hospitals, Houses of Fryers, Rectories, Vicarages, Chantries, Churches, Chapels, Archbishopricks, Bishopricks, and other Religious and Ecclesiastical Houses and Places, or of any of them, of what Name, Nature or Kind soever they be, shall have, hold, possess, retain, keep and enjoy all and every the said Scites, Manors, Granges, Messuages, Lands, Tenements, Possessions, Profits, Commodities and other Hereditaments, according to such Interests and Estates, as they and every of them now have or hold, or hereafter shall have or hold, of and in the same, by the due Order and Course of the Laws and Statutes of this Realm, which now be, or were standing in Force before the First Day of this present Parliament, in Manner and Form as they should have done, if this Act had never been had ne made; this Act or any Thing herein contained to the contrary in any wise notwithstanding.

XXXVII. Saving to you our said Sovereign Lady, your Heirs and Successors and every of them, and to all and every other Person or Persons Subjects of this Realm, and Bodies Politick and Corporate, and to their Heirs and Successors, and to the Heirs and Successors of all and every of them (other than such whose Right, Title or Interest is bounden or taken away, undone or extinct by any Act of Parliament, heretofore made or otherwise) all such Right, Title, Claim, Possession, Interests, Rents, Annuities, Commodities, Commons, Offices, Fees, Leases, Liveries, Livings, Pensions, Portions, Debts, Duties and other Profits, which they or any of them lawfully have, or of Right ought to have, or might have had, in, of, or to any of the Premises, or in, of, or to any Part or Parcel thereof, in such like Manner and Form, and Condition, to all Intents, Respects, Constructions and Purposes, as if this Act had never been had ne made.

The Queen and all others shall enjoy such Sites of Monasteries, &c. and their Lands, as they now have or shall have.

Other Mens Titles saved.

Statutes concerning the Assurance of Abbey Lands, &c. of H. 8. and E. 6. confirmed.

XXXVIII. And that it may be further enacted by the Authority aforesaid, That all and every Article, Clause, Sentence and Proviso, contained or specified in any Act or Acts of Parliament concerning or touching the Assurance or Conveyance of any the said Monasteries, Priories, Nunneries, Commandries, Deaneries, Prebends, Colleges, Chuntries, Hospitals, Houses of Friars, Rectories, Vicarages, Churches, Chapels, Archbishopsricks, Bishopricks and other Religious and Ecclesiastical Houses and Places, or any of them, or in any wise concerning any Manors, Lands, Tenements, Profits, Commodities, Hereditaments, or other the Things before specified, to the said King *Henry* the Eighth, or King *Edward* the Sixth, or either of them, or any other Person or Persons, or Body Politick or Corporate and every of them, and all and every Writing, Deed and Instrument concerning the Assurance of any the same, shall stand, remain and be in as good Force, Effect and Strength, and shall be pleaded and taken Advantage of, to all Intents, Constructions and Purposes, as the same should, might or could have been, by the Laws and Statutes of this Realm, in case this present Act had never been had ne made.

Assurances to H. 8. and E. 6. and all other Persons, of Abbey Lands confirmed.

XXXIX. And that all Feoffments, Fines, Surrenders, Forfeitures, Assurances, Conveyances, Estates and Interests in any wise conveyed, had or made to our said late Sovereign Lord King *Henry* the Eighth, or to our said late Sovereign Lord King *Edward* the Sixth or either of them, or to any other Person or Persons, Bodies Politick or Corporate or to any of them, by Deed or Deeds, Act or Acts of Parliament or otherwise, of any the Scites, Manors, Lands, Tenements, Possessions, Profits, Commodities or Hereditaments of any of the said Archbishopsricks, Bishopricks, late Monasteries, Priories, Nunneries, Commandries, Deaneries, Houses of Fryers, Colleges, Chuntries, Hospitals, Prebends, Free Chapels, or of any Manors, Lands, Tenements, Reverfions, Services, Tithes, Pensions, Portions, Annuities or of any other Hereditaments, of, by or from any Ecclesiastical or Spiritual Person or Persons, or by or from any Spiritual or Ecclesiastical Corporation or Body Politick, shall be as good and available in the Law, to all Intents, Constructions and Purposes, as they were by the Laws and Statutes of this Realm standing in Force before the First Day of this present Parliament: And that the same may and shall be pleaded, alledged or taken Advantage of, in such Sort, and to such Effect, as they should, could or might have been by the Laws and Statutes of this Realm standing in Force before the said First Day of this present Parliament; and that all and every Clause and Article of Saving, contained in all and every the said Acts and Statutes, shall stand, remain and be in such Force, Strength and Effect, as they were before the said First Day of this present Parliament; any Thing contained in this present Act to the contrary in any wise notwithstanding.

Molesting any Person for any Abbey Lands.

XL. And that it may be in like Manner enacted by Authority aforesaid, That whosoever shall by any Procefs obtained out of any Ecclesiastical Court within this Realm or without, or by Pretence of any Spiritual Jurisdiction or otherwise, contrary to the Laws of this Realm, inquiet or molest any Person or Persons or Body Politick, for any of the said Manors, Lands, Tenements, Hereditaments or Things above specified, contrary to the Words, Sentences and Meaning of this Act, shall incur the Danger of the Act of

Premunire, made the xvi. Year of King *Richard* the Second, and shall suffer and incur the Forfeitures and Pains contained in the same. 16 R. 2. c. 5.

XLI. Provided alway, That it shall and may be lawful to any Person or Persons, Body Politick and Corporate, to sue in any competent Ecclesiastical or Spiritual Court within this Realm, for Tithes, Rights and Duties that they or any of them shall pretend to have of or out of any the said Manors, Lands, Tenements and other the Premises, and to have full and perfect Remedy for the same, in such Manner and Form as they or any of them might or ought to have done, or had by the Laws and Statutes of this Realm, before the Making of this Act, and as though this Act had never been had or made. *Proviso for Suits for Tithes of Abbey Lands,*

XLII. And that it may be further provided and enacted by the Authority aforesaid, That albeit the Title or Stile of Supremacy, or Supreme Head of the Church of *England* and of *Ireland*, or either of them, never was, ne could be justly or lawfully attributed or acknowledged to any King and Sovereign Governor of this Realm, nor in any wise could or might rightfully, justly or lawfully by any King or Sovereign Governor of this Realm, be claimed, challenged, or used; yet forasmuch as the said Title and Stile, sithence the Third Day of *November* in the xxvi. Year of the Reign of the said King *Henry* the Eighth hath been used, and is mentioned and contained in divers and sundry Writs, Letters Patents, Records, Exemplifications, Court-Rolls, Charters, Deeds, Instruments, Evidences, Books and Writings; it shall be lawful as well to and for your Majesties and our Sovereign Ladies Heirs and Successors, as to and for every other Person and Persons, and Bodies Politick and Corporate, at all Time and Times hereafter, to have, retain and keep the said Writs, Letters Patents, Records, Exemplifications, Court-Rolls, Charters, Deeds, Instruments, Evidences, Books and Writings, and them to shew, exhibit, use, alledge and plead, in all Times and Places, requisite or needful, without any Danger, Penalty, Loss, Forfeiture, Trouble, Vexation or Impeachment for the same; any Thing in this Act, or in any other Act or Acts to the contrary thereof, in any wise notwithstanding. *The Title of Supreme Head of the Church never could be justly attributed to any King.*

XLIII. And where your Highness, Sovereign Lady, since your coming to the Crown of this Realm, of a good and Christian Conscience, omitted to write the said Stile of Supremacy, specified in one Act made in the Parliament holden at *Westminster* by Prorogation in the xxxv. Year of the Reign of your late Father King *Henry* the Eighth, as well in Gifts, Grants, Letters Patents, as in Commissions and other Writings, and also other have in their Writings done the same, as well in your Time as before: And forasmuch as notwithstanding any Law made concerning the said Stile of Supremacy, it was in the free Choice, Liberty and Pleasure of the King of this Realm; and of your Highness, whether you would express the same in the said Stile or not: *Writs, &c, with Title of Supreme Head, may be pleaded.* 35 H. 8. c. 3.

XLIV. Be it therefore declared and enacted by the Authority of this present Parliament, That all Grants, Letters Patents, Commissions, Indictments, Records and Writings made in your our Sovereign Lady's Name, or in the Names of your Sovereign Lord and Lady, or any other wherein the said Stile of Supremacy *Confirmed Letters Patent, &c,*

macy is omitted, is and shall be, to all Intents and Purposes, as good and effectual, as if the same had been therein expressed, and may be detained, kept, pleaded and alledged, without any Danger, Pain, Penalty or Forfeiture to ensue to any Person or Persons, or Body Politick, for or concerning the Omission of the same Stile, or any Part thereof, in any such Writings; and that no Person ne Persons shall be impeached, molested or damnified, for or by Reason of any such Omission.

28 H. 8. c. 16.

XLV. And where in an Act of Parliament, made since the said Twentieth Year of King *Henry* the Eighth, all Bulls, Dispensations and Writings, which were before that Time obtained from the See of *Rome*, should be void, abolished and extinguished, with a Clause nevertheless, that the Matter of them, by virtue of Letters Patents from the King then being, should and might be alleged, pleaded and allowed, as if the same had not been so abolished and extinguished; forasmuch as the said Act is here before amongst other repealed and made void:—

What Bulls, Dispensations and Licences obtained from *Rome*, may be put in Execution.

XLVI. Be it therefore enacted by the Authority of this present Parliament, That all Bulls, Dispensations and Privileges, obtained before the said Twentieth Year, or at any Time since, or which shall hereafter be obtained of the See of *Rome*, not containing Matter contrary or prejudicial to the Authority, Dignity or Preheminence Royal or Imperial of the Realm, or to the Laws of this Realm now being in Force, and not in this Parliament repealed, may be put in Execution, used and alledged in any Court within this Realm or elsewhere, whether the same remain yet whole, or can appear to have been cancelled, in as available and effectual Manner, to all Intents and Purposes, as if the said Act had never been had or made; any Objection by Pretence of Extinguishment, or cancelling of the said Bulls, Dispensations or Privileges, or of any other Matter or Cause by the Pretence of the Laws of this Realm whatsoever, in any wise notwithstanding.

XLVII. And whereas by Dissolution of Monasteries and other Religious Houses, certain Parish Churches and Chapels which were before exempt from the Jurisdiction of the Archbishop and Bishop of the Diocese, and by special Exemption and Privilege from *Rome* were under the Government and Order of the Abbots and Priors of those religious Houses; which said Churches, by Colour of the said Exemptions, be now of special Grant from King *Henry* and King *Edward*, under the Rule and Government and Jurisdiction of Temporal and Laymen, who can no more enjoy that Supremacy, over those particular Churches, than the King might over the whole Realm:—

What Jurisdiction Spiritual Persons shall have, &c.

XLVIII. Be it therefore enacted, That all Archbishops and Bishops in their Dioceses, and all other Spiritual Person and Persons having Jurisdiction, and their Ministers and Officers, and no Lay Person or Persons, in every Church and Place within the Precinct of the same, being exempt, or not exempt, may freely, and without Impediment, execute their Spiritual Jurisdiction in all Points and Articles, as though no such Exemption or Grant had never been made.

Privileges.

XLIX. Provided alway, and be it enacted, That this Act extend not to take away or diminish the Privileges of the Universities of *Cambridge* and *Oxford*, ne the Privileges or Prerogatives granted heretofore to the Churches of *Westminster* and *Windfor*,

ne the Tower of *London*, ne prejudicial to such temporal Lords and Possessioners in this Realm, as by ancient Custom have enjoyed Probate of Testaments of their Tenants or other.

‘ L. And forasmuch as after this Reconciliation and Unity of this noble Realm to the Body of Christ’s Church, it is to be trusted that by the Abundance of God’s Mercy and Grace, Devotion shall increase and grow in the Hearts of many the Subjects of this Realm, with Desire to give and bestow their worldly Possessions for the resuscitating of Alms, Prayer and Example of good Life in this Realm, to the Intent such godly Motions and Purposes should be advanced :’

LI. Be it therefore enacted by Authority of this present Parliament, That it shall be lawful to such as shall be seised of any Manors, Lands, Tenements, Parsonages, Tithes, Penfions, Portions or other Hereditaments whatsoever, in Fee Simple, in Possession, Reversion or Remainder, in their own Rights, not being Copyhold, may thereof make Feoffments, Grants or any other Assurances, or by his last Will and Testament in Writing may bequeath and give in Fee-simple all and every the said Manors, Lands, Tenements, Parsonages, Tithes, Penfions, Portions or other Hereditaments, to any Spiritual Body Politick or Corporate in this Realm, or Dominions of the same, now erected or founded, or hereafter to be erected or founded, without any Licence of *Mortmain* therein to be obtained, or any Writ of *ad quod damnum* to be sued out for the same ; the Acts *de terris ad manum mortuam non ponendis*, or any other Act or Statute heretofore had or made, in any wise notwithstanding : Saving to the Lords of the Fee all Rents Services due or going out of any of the said Lands, Tenements or Hereditaments, so to be amortized as is aforesaid.

Lands may be given to Spiritual Bodies Politick or Corporate.

“ To continue Twenty Years. § 52. EXP.

‘ LIII. And forasmuch as we Your Majesties humble and obedient Subjects, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, neither by the Making or Delivering of either the Supplications aforesaid, nor by any Clause, Article or Sentence thereof, or of any other Clause, Article or Sentence of this or any other Statute, or any of the Preambles of the same, made or agreed upon in this Session of this present Parliament, by any Manner of Interpretation, Construction, Implication or otherwise, intend to derogate, impair or diminish any of the Prerogatives, Liberties, Franchises, Preheminences or Jurifdictions of your Crown Imperial of this Realm, and other the Dominions to the same belonging ;’ we do most humbly beseech Your Majesties, that it may be declared and ordained, and be it enacted and declared by Authority of this present Parliament, That neither the making, exhibiting or inserting in this present Statute, or in the Preambles of the same, of the Supplication or Promise aforesaid, or either of them, nor any other Thing or Things, Words, Sentences, Clauses or Articles in the Preambles or Body of the Acts aforesaid, shall be construed, understood or expounded, to derogate, diminish or take away any Liberties, Privileges, Prerogatives, Preheminences, Authorities or Jurifdictions, or any Part or Parcel thereof, which

Liberties of the Crown.

The Pope, &c.
restored to their
Authority.

were in your Imperial Crown of this Realm, or did belong to your said Imperial Crown the Twentieth Year of the Reign of yours, the Queen's Majesties, most noble Father, or any other of your most noble Progenitors, before the said Twentieth Year; and the Pope's Holiness and See Apostolick to be restored, and to have and enjoy such Authority, Preheminence and Jurisdiction, as his Holiness used and exercised, or might lawfully have used and exercised, by Authority of his Supremacy, the said Twentieth Year of the Reign of the King your Father, within this your Realm of *England*, and other your Dominions; without Diminution or Inlargement of the same, and none other; and the Ecclesiastical Jurisdictions of the Archbishops, Bishops and Ordinaries, to be in the same State for Process of Suits, Punishment of Crimes, and Execution of Censures of the Church; with Knowledge of Causes belonging to the same, and as large in these Points as the said Jurisdiction was the said Twentieth Year.

Tenure of Frank
Almoigne, or a
Tenure by Di-
vine Service.

LIV. Provided always, and be it enacted by the Authority aforesaid, That in and upon every such Gifts and Devises to be made to such spiritual Corporations or Persons as is aforesaid, the Donor, Feoffor, or Devisor thereof, may reserve to him and to his Heirs for ever, a Tenure in *frank almoigne*, or a Tenure by Divine Service, and to have all Remedies and Actions for and upon the said Gifts or Devises, and Tenures, in like Manner and Form as was used before the Estatute of *Westminster* Third, commonly called *Quia emptores terrarum*; the said Estatute or any Law or Custom now being to the contrary in any wise notwithstanding.

Stat. West. 3.

Remedy for re-
covering Pen-
sion, &c.

LV. Provided always, and be it enacted, That all and every Person and Persons, and Bodies Politick and Corporate, which now have or hereafter shall have any Estate of Inheritance, Freehold, Term or Interest of, in or to any Portion, Pension, Tythes, Glebe-Lands or other Ecclesiastical or Spiritual Profit, which by this Act and Letters of Dispensation rehearsed in the same, be permitted and suffered to remain and continue in Lay-Men's Possessions, shall and may have like Remedy for the Recovery of the same, and every Part thereof, as they and every of them might have had before the first Day of this present Parliament; any Thing in this Act contained to the contrary in any wise notwithstanding.

[The Whole of this Act, except § 40. repealed 1 Eliz. c. 1. § 2, 32.]

C A P. IX.

An Act for the Punishment of Traiterous Words against the Queen's Majesty.

" IF any Person shall pray or desire that God will shorten the
" Queen's Days, or take her out of the Way, or any such mali-
" cious Prayer, amounting to the same Effect, he, his Procura-
" tors and Abettors, shall be adjudged Traytors. EXP.

C A P. X.

An Act whereby certain Offences be made Treasons; and also for the Government of the King's and Queen's Majesties Issue.

FORASMUCH as the great Mercy and Clemency heretofore declared by the Queen's Highness in releasing the penal Laws made by her Progenitors, hath given Occasion to many cankered and trayterous Hearts to imagine, practice and attempt Things, stirring the People to Disobedience and Rebellion against her Highness; common Policy and Duty of Subjects require, that some Law be eftablished, to restrain the Malice of such wicked and evil Doers, whereby they may be prohibited to blow abroad such shameful Slanders and Lies as they daily invent and imagine of her Highness and the King's Majesty her most lawful Husband, which when they be heard cannot be but odible and detested of all good Men, considering they touch their Majesties, upon whom dependeth the whole Unity and univerval Wealth of this Realm:

II. In Consideration whereof, be it ordained and enacted by the King and the Queen's Majesties, with the Assent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons, after the First Day of *February* next to come, during the Marriage between the King and the Queen's Majesties, do compass or imagine to deprive the King's Majesty that now is, from the having and enjoying jointly together with the Queen's Highness the Style, Honour and Kingly Name of the Realms and Dominions unto our said Sovereign Lady the Queen's Highness appertaining, or to destroy the King that now is, during the said Matrimony, or to destroy the Queen's Majesty that now is, or the Heirs of her Body begotten, being Kings or Queens of this Realm, or to levy War within this Realm of *England*, or within any of the Marches of the same, against the King's Majesty that now is, during the said Marriage, or against the Queen's Majesty that now is, or any of her said Heirs, being Kings or Queens of this Realm, or to depose the Queen's Majesty that now is, or the Heirs of her Body begotten, being Kings or Queens of this Realm, from the Imperial Crown of the Realms and Dominions abovesaid And the same Compasses or Imaginations, or any of them, maliciously advisedly and directly, shall or do utter by open Preaching, express Words or Sayings, or if any Person or Persons after the said First Day of *February*, by Preaching, express Words or Sayings, shall maliciously, advisedly and directly say, publish, declare, maintajne or hold Opinion, that the King's Majesty that now is, during the said Matrimony, ought not to have or enjoy jointly together with the Queen's Majesty, the Style, Honour and Kingly Name of this Realm, or that any Person or Persons, being neither the King or the Queen's Majesties that now are, during the said Matrimony between them, ought to have or enjoy the Style, Honour and Kingly Name of this Realm, or that the Queen's Majesty that now is, during her Life, is not, or of Right ought not to be Queen of this Realm, or after her Death, that the Heirs of her Highness Body, being

Compassing to defeat the King's Enjoyment of his Title.

Kings or Queens of this Realm, of Right ought not to be Kings or Queens of this Realm, or to have and enjoy the same; or that any Person or Persons, other than the Queen's Majesty that now is, during her Life, ought to be Queen of this Realm, or after her Death, other than the Heirs of her Body, being Kings or Queens of this Realm, as long as any of her said Heirs of her Body begotten shall be in Life, of Right ought to have and enjoy the Imperial Crown of this Realm; that then every such Offender, being thereof duly convicted or attainted by the Laws of this Realm, their Abettors, Procurers and Counsellors, and all and every their Comforters, knowing the said Offences or any of them to be done, and being thereof convicted or attainted, as is abovesaid, for his or their such Offence, shall forfeit and lose to the Queen's Highness, her Heirs and Successors, all his and their Goods and Chattels, and the whole Issues and Profits of his and their Lands, Tenements and other Hereditaments, for Term of the Life of every such Offender or Offenders, and also shall have and suffer, during his or their Lives, perpetual Imprisonment.

Aiders, &c.

Penalty.

Ecclesiastical
Persons con-
victed.

III. Provided always, and be it enacted by the Authority aforesaid, That all and every Ecclesiastical Person being convicted or attainted in Form aforesaid, for every such his Offence, shall be deprived by the Ordinary from his Promotion spiritual or ecclesiastical, in such like Manner and Form, that it shall be lawful for every Patron, Founder or Giver thereof, to present, after such Deprivation had; some one other to the same, as though the said Offender or Offenders were deceased. And if any Person or Persons being hereafter convicted, or attainted of any of the said Offences, in Form aforesaid committed, shall after his or their Conviction or Attainder estones commit or perpetrate any of the said Offences, in Form aforesaid; that then every such Second Offence or Offences, shall be deemed and adjudged High Treason, and the Offender or Offenders therein, their Abettors, Procurers and Counsellors, and all and every their Aiders and Comforters, knowing the said Offences or any of them to be done, being thereof convicted or attainted, according to the Laws and Statutes of this Realm, shall be judged and deemed High Traytors, and shall suffer Pains of Death, and lose and forfeit all their Goods and Chattels, Lands and Tenements, to the Queen's Majesty, her Heirs and Successors, as in Cases of High Treason by the Laws of this Realm at this Day of Right ought to be lost and forfeited.

High Treason.

Compassing the
King's Death,
&c.

IV. And be it further enacted by the said Authority, That if any Person or Persons, at any Time after the said First Day of *February* next to come, during the said Marriage, compass or imagine the Death of the King's Majesty that now is, and the same maliciously, advisedly and directly shall utter and attempt by any Writing, Printing, overt Deed or Act; or if any Person or Persons, at any Time after the said First Day of *February* next coming, shall maliciously, advisedly and directly, by Writing, Printing, overt Deed or Act, affirm that the King's Majesty that now is, during the said Matrimony, ought not to have or enjoy jointly together with the Queen's Highness, the Stile, Honour and Kingly Name of this Realm; or that any Person or Persons, being neither the King or the Queen's Majesty that now is, during the said Matrimony between them, ought to have and enjoy the Stile, Honour and Kingly Name of this Realm; or if any Person

or Persons after the said Day, by any Writing, Printing, overt Deed or Act, maliciously, advisedly and directly affirm, that the Queen's Majesty that now is, during her Life is not or ought not to be Queen of this Realm, or after her Death, that the Heirs of her Highness Body, being Kings or Queens of this Realm, of Right ought not to have and enjoy the Imperial Crown of this Realm, or that any Person or Persons other than the Queen's Majesty that now is, during her Life, or after her Death, other than the Heirs of her Body begotten, being Kings or Queens of this Realm, as long as any of her said Heirs of her Body shall be in Life, of Right ought to have and enjoy the Imperial Crown of this Realm; that then every such Offence and Offences shall be adjudged High Treason, and the Offender and Offenders therein, their Abettors, Procurers and Counsellors, and all and every their Aiders and Comforters, knowing the said Offences or any of them to be done, being thereof convicted or attainted by the Laws and Statutes of this Realm, shall be deemed and adjudged High Traitors, and shall suffer Pains of Death, and lose and forfeit all their Goods and Chattels, Lands and Tenements, to the Queen's Majesty, her Heirs and Successors, as in Cases of High Treason, as is above said.

High Treason.

' V. And albeit we the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, have firm Hope and Confidence in the Goodness of Almighty God, that like as he hath hitherto miraculously preserved the Queen's Majesty from many great and eminent Perils and Dangers, even so he will of his infinite Goodness give her Highness Strength, the rather by our continual Prayers, to pass well the Danger of Deliverance of Child, wherewith it hath pleased him (to all our great Comforts) to bless her: Yet forasmuch as all Things of this World be uncertain, and having before our Eyes the dolorous Experience of the inconstant Government during the Time of the Reign of the late King *Edward* the Sixth, do plainly see the manifold Inconveniences, great Dangers and Perils, that may ensue to this whole Realm, if Foresight be not used to prevent evil Chances if they should happen: For the eschewing whereof, we the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, for and in Consideration of a most special Trust and Confidence that we have and repose in the King's Majesty, for and concerning the good and politick Government, Order and Administration of this Realm in the Time of the young Years of the Issue or Issues of her Majesty's Body to be born, if it should please God to call the Queen's Highness out of this present Life, during the tender Years of such Issue or Issues (which God forbid) according to such Order and Manner as hereafter in this present Act his Highness most gracious Pleasure is, should be declared and set forth; have made our most humble Suit by the Assent of the Queen's Highness, that his Majesty would vouchsafe to accept and take upon him the Rule, Order, Education and Government of the said Issue or Issues to be born as is aforesaid, upon which our Suit being of his said Majesty most graciously accepted, it hath pleased his Highness not only to declare, that like as for the first Part his Majesty verily trulleth, that Almighty God, who hath hitherto preserved the Queen's Majesty, to give this Realm so good an Hope

' Hope of certain Succession in the Blood Royal of the same
 ' Realm, will assist her Highness with his Graces and Benedictions
 ' to see the Fruit of her Body well brought forth, live and able to
 ' govern, whereof neither all this Realm, ne all the World besides,
 ' should or could receive more Comfort than his Majesty should and
 ' would. Yet if such Chance should happen, his Majesty at our
 ' humble Desires is pleased and contented, not alone to accept
 ' and take upon him the Cure and Charge of the Education, Rule,
 ' Order and Government of such Issues, as of this most happy
 ' Marriage shall be born between the Queen's Highness and him,
 ' but also during the Time of such Government would by all Ways
 ' and Means study, travail and employ himself to advance the Weal,
 ' both publick and private, of this Realm, and Dominion thereunto
 ' belonging, according to the said Trust in his Majesty reposed,
 ' with no less good Will and Affection, than if his Highness had
 ' been naturally born among us.' In Consideration whereof, be it
 enacted by the King and the Queen's most Excellent Majesties, by
 the Assent of the Lords Spiritual and Temporal, and the Commons,
 of this present Parliament assembled, and by the Authority
 of the same, That if it shall so please God to call the Queen's Ma-
 jesty out of this present Life, which God forbid, before the Issue
 of her Body inheritable to the Crown of this Realm, if it be Male,
 shall accomplish the Age of xviii. Years, or if it be Female, before
 it shall be of the Age of xv. Years, and not married after the Age
 of Consent, and before the said Age of xv. Years, that then and
 immediately after, and from the Decease of our said Sovereign
 Lady the Queen, the King's Majesty that now is shall have the
 Rule, Order, Education and Government of the Person of such
 Issue or Issues, and the Rule, Order and Government (under such
 Issue or Issues) of this Realm, and the Dominions to the same be-
 longing, until the same Issue or Issues, inheritable to the Imperial
 Crown of this Realm, if it be Male, shall accomplish the full Age
 of Eighteen Years, and if it be Female, until such Issue Female
 shall accomplish the Age of Fifteen Years, and be married after the
 Age of Consent, and before the said Age of Fifteen Years, if the
 said Issue or Issues, and our said Sovereign Lord the King, shall so
 long live together, and that during, and by all the Time of such
 Government, all and every the Facts, Covenants, Articles and
 Agreements mentioned and comprised in the Treatises and Act of
 Parliament, and every of them, made and concluded for and con-
 cerning the honourable Marriage had and consummate between the
 King and Queen's Majesties, which on the Behalf of his Majesty
 been to be observed, performed and kept, shall after the Decease
 of the Queen's Majesty, during the Time of the said Government,
 remain, continue and be in as good and full Force, Strength and
 Effect, to all Intents and Purposes, as they were at any Time
 during the said Marriage, or now been, as if they were newly by apt
 Words, Terms and Sentences, inserted and rehearsed in this present
 Act, and newly made and enacted to stand, remain, continue, and
 to be observed and kept, during the Time of the said Government,
 and shall be by his Majesty, during the said Time, inviolably ob-
 served, performed, maintained and upholden, in such Sort, and in
 as full, large and ample Manner, to all Respects, as they should
 and ought to be during the Time of the said Marriage, or after;
 and his Highness, and the Queen's most excellent Majesty, are
 pleased

Provision for the
 Education of the
 Issue in case of
 the Queen's
 Death.

pleased and contented, that it be enacted by this present Parliament, that nothing shall be done, permitted or assented unto by his Majesty to the contrary.

VI. And be it further enacted by the Authority aforesaid, That if any Person or Persons, during the Time that our said Sovereign Lord the King that now is, shall and ought to have the Order, Rule, Education and Government of such Issue or Issues, being King or Queen of this Realm, according to the Order and Provision aforesaid, maliciously, advisedly and directly, by Writing, Printing, overt Deed or Act, do compass, attempt and go about to destroy the Person of our said Sovereign Lord, or do deprive or remove his said Highness from the Order, Rule, Education and Government of the same Issue or Issues, being King or Queen of this Realm, contrary to the Tenour, Intent and true Meaning of this present Act; that then every such Person or Persons so offending, their Procurers and Abettors, being thereof lawfully convicted or attainted by the Laws of this Realm, shall be deemed and adjudged High Traitors; and that all and every such Offence and Offences shall be deemed and adjudged High Treason; and the Offender and Offenders therein, their Procurers, Counsellors and Abettors, shall incur the Dangers, Forfeitures and Penalties of High Treason.

Compassing the Removal of the King from the Education of the Issue of the Marriage, &c.

High Treason.

VII. And be it further enacted by the Authority aforesaid, That all Trials hereafter to be had, awarded or made for any Treason, shall be had and used only according to the due Order and Course of the Common Laws of this Realm, and not otherwise; Saving to every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, other than the Offenders and their Heirs, and such Person and Persons as claim to any of their Uses all such Rights, Titles, Interests, Possessions, Leases, Rents, Reversions, Offices and other Profits, which they or any of them shall have at the Day of committing such Treasons, or at any Time afore, in as large and ample Manner as if this Act had never been had nor made.

Treason shall be tried at the Common Law.

VIII. Provided always, and be it declared and enacted by the Authority aforesaid, That Concealment or keeping secret of any High Treason be deemed and taken only Misprision of Treason, and the Offenders therein to forfeit and suffer as in Cases of Misprision of Treason hath heretofore been used; any Thing above mentioned to the contrary notwithstanding.

Misprision of Treason.

IX. Provided also, That if it shall fortune hereafter any of the Peers of this Realm to be indicted of any of the Offences made Treason or Misprision of Treason by this Act, that then the same Peers or Peer, so being indicted, shall be put to answer unto every such Indictment, before the High Steward of England for the Time being, and to have his and their Trial by his and their Peers, and to receive and have such like Judgement upon the same Trial of his or their Peers, or making open Confession of the same Offence or Offences, as is used in other Cases of High Treason.

Indictment of Peers.

X. And it is further enacted by Authority aforesaid, That no Person or Persons shall in any wise be impeached for any of the Offences aforesaid, committed only by open Preaching or Words, unless the Offender or Offenders be therefore indicted within Six Months next after the same open Preaching or Words; any Thing contained in this Act to the contrary notwithstanding.

All Indictments to be within Six Months.

XI. Provided

Witness shall be
examined in
Presence of the
Party.

XI. Provided always, and be it enacted by the Authority aforesaid, That upon the Arraignment of any Person which hereafter shall fortune to be arraigned for any Treason mentioned in this Act, all and every such Person and Persons (or Two of them at the least) who shall hereafter write, declare, confesse or depose any Thing or Things against the Person to be arraigned, shall, if living and within the Realm, be brought forth in Person before the Party arraigned, if he require the same, and object and say openly in his Hearing what they or any of them can against him, for or concerning any the Treasons contained in the Indictment whereupon the Party shall be so arraigned, unless the Party arraigned for any such Treason shall willingly confesse the same at the Time of his or their Arraignment.

Coining.

XII. Provided nevertheless, and be it enacted by the Authority aforesaid, That in all Cases of High Treason concerning Coin current within this Realm, or for counterfeiting the King or Queen's Signet, Privy Seal, Great Seal, or Sign Manual, such Manner of Trial and none other be observed and kept, as heretofore hath been used by the Common Laws of this Realm; any Law, Statute, or any other Thing or Things to the contrary notwithstanding.

How Abettors,
&c. to suffer.

XIII. Provided always, That the Councillors, Procurers, Comforters and Abettors, for his or their First Offence shall suffer like Punishment, Penalty and Forfeiture as is contained in this Act against the principal Offenders for their First Offence, and none other: And that the Councillors, Procurers, Comforters and Abettors, for his or their Second Offence shall sustain like Punishment, Penalty and Forfeiture, as is contained in this Act against the principal Offender or Offenders for their Second Offence, and none other.

C A P. XI.

An Act for the Punishment of bringing in of counterfeit Coin of Foreign Realms, being current within this Realm.

‘WHERE divers and sundry Coins of Gold and Silver of other Realms, not being of the proper Coin of this Realm of *England*, and yet by the Sufferance and Consent of the King and Queen our Sovereign Lord and Lady, be current in Payment within this Realm, many ill-disposed Persons, for their own corrupt Lucre and Advantage, have now of late brought into this Realm from the Parts beyond the Sea great Quantity of forged and counterfeit Money, like to the said Coin of other foreign Realms, and have uttered the same here by merchandizing and otherwise, to divers of the Subjects of this Realm, to their great Deceit, Hurt and Damage; because the said ill-disposed Persons have perceived and understood, that there was not, nor yet is, any sufficient Law or Statute made or provided for the condign Punishment of the Offenders in that Behalf:’

Bringing counterfeit
Coin into
the Realm.

II. Wherefore be it enacted and established by the Authority of this present Parliament, That if any Person or Persons after the Twentieth Day of *January* next coming shall bring from the Parts of beyond the Sea into this Realm, or into any of the Dominions of the same, any such false and counterfeit Coin or Money, being current within this Realm, as is aforesaid, knowing the same Coin or Money to be false and counterfeit, to the Intent to utter or make Payment with the same within this Realm, or any the Domini-

nions of the same, by merchandizing or otherwise; that all and every such Person or Persons so offending as aforesaid, their Counsellors, Procurers, Aiders and Abettors in that Behalf, shall be deemed and adjudged to be Offenders in High Treason, and shall suffer, after lawful Conviction or Attainder thereof, such Pains of Death, Loss and Forfeiture of Lands, Goods and Chattels, as other Offenders shall do in Cases of High Treason.

High Treason.

III. And be it further enacted by the Authority aforesaid, That all and every Person or Persons that shall at any Time after the said Twentieth Day of *January* be accused or impeached of any of the Offences contained and provided for in this Estatute, or of any other Offence or Offences concerning the impairing, counterfeiting or forging of any Coin current within this Realm, shall and may be indicted, arraigned, tried, convicted or attainted by such like Evidence, and in such Manner and Form, as hath been used and accustomed within this Realm at any Time before the First Year of the Reign of our late Sovereign Lord King *Edward* the Sixth; any Statute, Custom, Law or Usage to the contrary thereof in any wise notwithstanding.

Manner of Indictment, &c. for impairing or forging of Coin.

C A P. XII.

An Act for the impounding of Distresses.

‘FOR the avoiding of grievous Vexations, Exactions, Troubles and Disorder in taking of Distresses and impounding of Cattle.’ Be it enacted by the Authority of this present Parliament, That from and after the First Day of *April* next coming, no Distress of Cattle shall be driven out of the Hundred, Rape, Wapentake or Lathe where such Distress is or shall be taken, except that it be to a Pound overt within the same Shire, not above Three Miles distant from the Place where the said Distress is taken: And that no Cattle or other Goods distrained or taken by way of Distress for any manner of Cause at One Time, shall be impounded in several Places, whereby the Owner or Owners of such Distress shall be constrained to sue several Replevies for the Delivery of the said Distress so taken at One Time; upon Pain every Person offending contrary to this Act shall forfeit to the Party grieved, for every such Offence, an Hundred Shillings, and Treble Damages.

Where Distresses taken shall be impounded.

Penalty.

II. And be it further enacted by the Authority aforesaid, That after the said First Day of *April*, no Person or Persons shall take for keeping in Pound, Impounding or Poundage of any Manner of Distress, above the Sum of Four Pence for any one whole Distress that shall be so impounded; and where less hath been used, there to take less; upon the Pain of Five Pounds, to be paid to the Party grieved over and beside such Money as he shall take above the Sum of Four Pence; any Usage or Prescription to the contrary in any wise notwithstanding.

How much may be taken for Poundage.

Penalty.

III. And for the more speedy Delivery of Cattle taken by way of Distress, it is further enacted by the said Authority, That every Sheriff of Shires, being no Cities nor Towns made Shires, shall at his First County-Day, or within Two Months next after he hath received his Patent of his Office of Sheriffwick, depute, appoint and proclaim in the Shire-Town within his Bailiwick, Four Deputies at the least, dwelling not above Twelve Miles, one distant

Sheriff to appoint Deputies for Replevins.

Penalty.

distant from another ; which said Deputies so appointed and proclaimed shall have Authority in the Sheriff's Name to make Replevies and Deliverance of such Distresses, in such Manner and Form as the Sheriff may and ought to do ; upon Pain that every Sheriff for every Month that he shall lack such Deputy or Deputies, shall forfeit for every such Offence Five Pounds ; the one Half of which Forfeitures shall be to the King and Queen's Highness, her Heirs and Successors, the other Half to him that will sue for the same by Bill, Plaint, Information or Action of Debt, in any the King and Queen's Courts of Record, in which no Effoin, Protection nor Wager of Law shall be admitted.

C A P. XIII.

An Act appointing an Order to Justices of Peace for the Bailment of Prisoners.

3 H. 7. c. 3. § 1.

WHERE in the Parliament holden at *Westminster* in the Third Year of the Reign of the Noble Prince King *Henry* the Seventh, it was among other Things ordained and enacted, That no Prisoner arrested for Felony, should be letten to Bail or Mainprise by any One Justice of Peace, but by the whole Justices, or at least by Two of them, whercof One to be of the *Quorum* ; since the making of which Estatute, One Justice of Peace, in the Name of himself and One other of the Justices his Companion, not making the said Justice party nor privy unto the Case wherefore the Prisoner should be bailed, hath oftentimes by sinister Labour and Means set at large the greatest and notablest Offenders, such as be not replevisable by the Laws of this Realm ; and yet the rather to hide their Affections in that Behalf, have signed the Cause of their Apprehension to be but only for Suspicion of Felony, whereby the said Offenders have escaped unpunished, and do daily, to the high Displeasure of Almighty God, the great Peril of the King and Queen's true Subjects, and Encouragement of all Thieves and Evil-doers :

Regulations for Bail.

II. For Reformation whereof, be it ordained and enacted by the King and Queen's Majesties, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That from and after the First Day of *April* next coming, no Justice or Justices, of Peace shall let to Bail or Mainprise any such Person or Persons, which for any Offence or Offences by them or any of them committed, be declared not to be replevied or bailed, or be forbidden to be replevied or bailed by the Statute of *Westminster primer*, made in the Parliament holden in the Third Year of the Reign of King *Edward* the First.

3 E. 1. c. 15.

III. And furthermore, That any Person or Persons arrested for Manslaughter or Felony, or Suspicion of Manslaughter or Felony, being bailable by the Law, shall not after the said First Day of *April* be let to Bail or Mainprise by any Justices of Peace, if it be not in open Sessions, except it be by Two Justices of Peace at the least, whercof One to be of the *Quorum*, and the same Justices to be present together at the Time of the said Bailment or Mainprise ; which Bailment or Mainprise they shall certify in Writing subscribed or signed with their own Hands, at the next

General

General Gaol-delivery to be holden within the County where the said Person or Persons shall be arrested or suspected.

IV. And that the said Justices, or one of them being of the *Quorum*, when any such Prisoner is brought before them for any Manslaughter or Felony, before any Bailment or Mainprise, shall take the Examination of the said Prisoner, and Information of them that bring him, of the Fact and Circumstances thereof, and the same, or as much thereof as shall be material to prove the Felony, shall put in Writing, before they make the same Bailment; which said Examination, together with the said Bailment, the said Justices shall certify at the next General Gaol-delivery to be holden within the Limits of their Commission. [See 2 & 3 P. & M. c. 10.]

Examination of Prisoner, &c.

V. And that every Coroner, upon any Inquisition before him found, whereby any Person or Persons shall be indicted for Murder or Manslaughter, or as Accessory or Accessories to the same before the Murder or Manslaughter committed, shall put in Writing the Effect of the Evidence given to the Jury before him, being material: And as well the said Justices as the said Coroner, shall have Authority by this Act to bind all such by Recognizance or Obligation, as do declare any Thing material to prove the said Murder or Manslaughter, Offences or Felonies, or to be Accessory or Accessories to the same as is aforesaid, to appear at the next General Gaol-delivery to be holden within the County, City or Town Corporate; where the Trial thereof shall be, then and there to give Evidence against the Party so indicted at the Time of his Trial; and shall certify as well the same Evidence as such Bond or Bonds in Writing, as he shall take, together with the Inquisition or Indictment before him taken and found, at or before the Time of his said Trial thereof to be had or made: And likewise the said Justices shall certify all and every such Bond taken before them, in like Manner as before is said of Bailments and Examination: And in case any Justice of Peace or *Quorum*, or Coroner, shall after the said First Day of April offend in any Thing contrary to the true Intent and Meaning of this present Act, that then the Justices of Gaol-delivery of the Shire, City, Town or Place, where such Offence shall happen to be committed, upon due Proof thereof by Examination before them, shall for every such Offence set such Fine on every of the same Justices of Peace and Coroner, as the same Justices of Gaol-delivery shall think meet, and shall estreat the same, as other Fines and Amerciaments assessed before Justices of Gaol-delivery ought to be.

The Coroner's Duty upon an Inquisition found before him.

Justice of Peace or Coroner omitting his Duty.

Penalty.

VI. Provided always, and be it further enacted by the Authority aforesaid, That Justices of Peace and Coroners within the City of London and the County of *Middlesex*, and in other Cities, Boroughs and Towns Corporate within this Realm and *Wales*, shall within their several Jurisdictions have Authority to let to Bail Felons and Prisoners, in such Manner and Form as they have been heretofore accustomed; this Act or any Thing therein contained to the contrary notwithstanding: And also shall take Examinations and Bonds, as is aforesaid, upon every Bailment by them or any of them to be made; and shall certify every such Bailments, Bonds and Examinations by them or any of them taken or made, at the next Gaol-delivery to be holden within the Shire, City, Borough

Justices of Peace of London, Middlesex, &c.

or

Penalty.

Removing of a
Prisoner, &c.

Penalty.

or Town, where their severall Jurisdictions extendeth, upon like Pain and Forfeiture as is before limited in this present Act.

VII. And be it also enacted by the Authority aforesaid, That no Writs of *Habeas Corpus* or *Certiorari* shall be hereafter granted to remove any Prisoner out of any Gaol, or to remove any Recognisance, except the same Writs be signed with the proper Hands of the Chief Justice, or in his Absence One of the Justices of the Court out of which the same Writs shall be awarded or made; upon Pain that he that writeth any such Writs, not. being signed as is aforesaid, to forfeit to our said Sovereign Lord the King and the Queen, for every such Writ and Writs, Five Pounds.

C A P. XIV.

An Act for the making of Russels Sattins, Sattins Reverfes and Fustian of *Naples*, in the City of *Norwich*.

WHERE of late Years passed, Russels, called Russels Sattens, and Sattens Reverfes, have been practised to be made beyond the Seas, of the Wools bred in the County of *Norfolk*, and by reason thereof so great Quantity of the said Russels Sattens, Sattens Reverfes, have been brought into this Realm, sold and worn as well in every Part of this Realm, as in the Parts beyond the Seas, that thereby the Mysteries of Worsted making and weaving, whereby Merchants and Inhabitants of the City of *Norwich* have heretofore been well maintained and relieved, is now at this present almost wholly decayed and brought out of Estimation, and very little worn; either within this Realm, or in any other Foreign Realms, to the great Hindrance and Decay of the said City and Citizens of the same City: For Remedy whereof, *Thomas Marsham*, Mayor of the City of *Norwich*, *John Corbet*, Esq; *Austin Steward*, *Robert Lecke*, *Robert Rugge*, *John Ball* and *Alexander Mather*, Aldermen of the said City, *Thomas Wale*, *Thomas Pecke*, *Ralph Marsham*, *Robert Henry*, *John Sutton*, *Richard Tomson*, Citizens and Merchants of the said City, at their great Costs and Charges, as well in bringing of certain Strangers from the Parts beyond the Seas into the said City, as also in making of Lombes, and all other Provision for the same; and also have called unto them Eight Persons of the most discreet and worthy Men of the Mystery of Worsted-weaving within the said City, that is to say, *John Cook*, *James Lin*, *John Cross*, *Simon Petit*, *John Marsham*, *Roger Lecke*, *Edmund Barker* and *Edmund Selers*, being the Number of One and twenty Persons, which have not only made Russels Sattens, Sattens Reverfes and Fustians of *Naples* within the said City of *Norwich*, of *Norfolk* Wools, but also have learned and taught other Citizens and Inhabitants of the said City to make the same in such good and perfect Manner, that much better Russels Sattens, Sattens Reverfes and Fustian of *Naples*, and such like, and for easier Prices, be now at this present wrought and made within the said City, than heretofore have been, or now be made in any of the Parts beyond the Seas, whereby the said City and Inhabitants thereof may and be like again to be relieved and brought to the old Estate, to the great Advancement of the Commodities of this Realm, and enriching the same, if some good and politick Laws and Ordinances

' nances were made for the good Continuance of the true making
' of the said Russels Sattens, Sattens Reverses and Fustian of
' *Naples*, and such like:'

II. In Consideration whereof, be it enacted, by the Assent of the King and Queen's Highness, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Russels Sattens, Sattens Reverses and Fustian of *Naples* hereafter to be made only within the said City, may from henceforth bear the Name, and be called by the Name of *Norwich* Sattens, and *Norwich* Fustians; and that the Mayor and the afore mentioned Citizens of the said City, which before this Time have been at the Costs and Charges of the bringing of the said Strangers into the same City, for the making of the said Russels Sattens, Sattens Reverses and Fustians of *Naples*, and such the afore mentioned eight Persons that they have called unto them, shall be a Fellowship of themselves; and shall yearly the Third Day of *February* chuse of their Fellows, Four Wardens within the Guildhall of the said City, or any other common and convenient Place in the same City; and the same Wardens so being chosen shall stand and be Wardens of the same Fellowship during one whole Year next ensuing the said Election; and that the same Wardens, after the said Election, shall come before the Mayor of the said City for the Time being, yearly the *Monday* next after the said Third Day of *February*, and before the said Mayor shall be sworn, diligently to view, search and see all the Russels Sattens, Sattens Reverses and Fustian of *Naples* then made, or that shall be made, within the said City during the said Year: And such of the said Russels Sattens, Sattens Reverses, and Fustian of *Naples*, as shall appear and be deemed by them to be lawfully, truly and workmanly wrought, shall seal with a Seal of Lead, bearing the Arms of the City of *Norwich*, whereby it may be known to the Merchant or Buyer of them, that the same be allowed, and truly made.

By what Name
Russels Sattens,
&c. made in
Norwich shall
be called.

A Body Corporate
and four
Wardens to see
and seal Russels
Sattens, &c.

III. And that it also may be enacted by the Authority aforesaid, That the said Wardens and Fellowship shall be a Body Corporate, and to be named and be enabled by this Act to sue and be sued, and to give and to take, by the Name of Wardens and Fellowship of the Mystery of Russels Sattens, Sattens Reverses and Fustian of *Norwich* making, within the said City of *Norwich*; And if any Default at any Time shall be found in any of the said Russels Sattens, Sattens Reverses and Fustian of *Norwich*, or in any of them, by the said Wardens, that the same Default shall be reformed, and the Offender or Offenders therein to be punished, according to such Rules and Ordinances as hereafter from Time to Time shall be made within the said City, by the Mayor of the said City for the Time being, and by the said Four Wardens and the Fellowship of the said Occupation or Mystery, or the greatest Number of the said Fellowship, for and concerning the same; and that the same Defaults from Time to Time, as Occasion shall serve, shall be enquired of and tried before the Mayor of the said City of *Norwich* for the Time being, by the Oaths of Twelve honest Men of the foresaid Fellowship.

By whom and
by what Means
Offenders shall
be enquired of
and punished.

IV. And that the said Four Wardens so chosen and sworn, shall have full Power and Authority to do, execute, present and reform all and singular Thing and Things, of, for and concerning the said
Vol. IV. F Mystery.

The Authority
of the four Wardens.

Mystery, making, working and occupying of the said Russels Sattens, Sattens Reverses and Fustian of *Norwich*, within the said City, in such Manner and Form as in or by the said Ordinances shall be expressed and declared; and that at all Times hereafter, and from Time to Time, it shall be lawful to the Mayor of the said City for the Time being, and to the before named Fellowship and Wardens of the same Mystery, and the more Part of them, and to their Successors, to make and ordain from Time to Time, Rules, Laws and Ordinances, meet and necessary for the good Order and Governance of the said Mystery, and for the true and well making of the said Russels Sattens, Sattens Reverses and Fustians of *Norwich*: And the same Ordinances so made, to be at all Times obeyed by all the Inhabitants of the said City or Suburbs of the same, and to be put in due Execution by the said Mayor and Wardens, and their Successors for the Time being, in such Manner and Form as by the said Ordinance shall be ordained and declared.

Who may occupy the Trade of making Russels Sattens, &c.

V. And that such as now be and that hereafter shall be Makers of the said Russels Sattens, Sattens Reverses and Fustian of *Norwich*, and every of them, within the said City, shall not from henceforth occupy the said Mystery and Making of the said Russels Sattens, Sattens Reverses and Fustian of *Norwich*, nor any of them, within the said City, by themselves, or by any other, before he or they so occupying the said Mystery within the said City, be made Free of the said City, and admitted to be of the said Fellowship, by the Mayor of the said City, and Wardens and Fellowship of the said Mystery for the Time being: And that no Person do occupy by himself, or any other for him, out of the said City, the said Mystery of making Russels Sattens, Sattens Reverses and Fustians of *Naples*, or of any of them, before he or they so occupying the same have been Prentice to the said Mystery by the Term of Seven Years, or else admitted by the said Mayor and Fellowship, or the more Part of them; upon Pain of Forfeiture of the same Russels Sattens, Sattens Reverses and Fustian of *Norwich*, by them or any of them to be made contrary to the Form of this Act. [See 9 G. 1. c. 9.]

Penalty.

Mayor, &c. taking Rewards.

VI. Provided always, and be it enacted by the Authority aforesaid, That the said Mayor and Wardens for the Time being shall not take any Sum of Money or Reward, to their own proper Uses, for the admitting of any Person or Persons to occupy the said Mystery, upon Pain of Forfeiture of treble the Value of the Reward or Sum of Money so by them or any of them to be taken.

Penalty.

Wardens may search.

VII. Provided also, That it shall be lawful to the said Wardens, and to every of them for the Time being, by all Ways and Means, and at all lawful Times, diligently from Time to Time to make Search, by due and ordinary Ways, for all Manner of the said Russels Sattens, Sattens Reverses and Fustian of *Norwich*, that shall happen to be found by them defective, for lack of good and true Workmanship.

Prentment, Inquiry and Trial of Russels Sattens, &c. suspected to be defective.

VIII. And that it shall be lawful to the said Wardens, and every of them for the Time being, by Virtue of this Act, to seize and take the said Russels Sattens, Sattens Reverses and Fustian, and bring and present the same Clothes so seized and taken, to the Mayor of the said City for the Time being, and unto his Successors, to the Intent that twelve honest, lawful and expert Men of the said Mystery and Fellowship, being sworn before the

... said

saïd Mayor, may by Virtue of their Oaths make Enquiry, and present the Manner of the saïd Defaults before the saïd Mayor for the Time being, according to such good and wholeſom Ordinances and Rules as ſhall be ordained and made for the Conſervation and good Continuance of the ſaïd Occupation and Myſtery, and the true making and working of the ſaïd Ruſſels Sattens, Sattens Reverses and Fuſtians of *Norwich*: And that all and every Perſon and Perſons that ſhall occupy, uſe and exerciſe the ſaïd Myſtery or making of the ſaïd Ruſſels Sattens, Sattens Reverses and Fuſtians of *Norwich*, or any of them, contrary to the Form, Tenour, plain Meaning and Intent of this Act, and of the Rules and Ordinances that at any Time hereafter by Authority of this Act ſhall be ordained and made for the Continuance of the true and perfect making of the ſaïd Ruſſels Sattens, Sattens Reverses and Fuſtians of *Norwich*, ſhall forfeit and loſe for every Time ſo offending, or making any Ruſſels Sattens, Sattens Reverses and Fuſtian of *Norwich*, contrary to the Meaning, Tenor and Effect of the ſaïd Act, Rules and Ordinances concerning the ſame, ſuch Fines, Amerciaments and Pains as ſhall be adjudged, aſſeſſed and aſſeſſed by twelve expert Men of the ſaïd Fellowship upon their Oaths; the ſame twelve Perſons to be ſworn before the ſaïd Mayor and Wardens to inquire and make true Verdict and Preſentment of ſuch Defaults; the one Half of which Forfeiture to be to the Mayor of the ſaïd City for the Time being and his Succeſſors, and the other Moiety to the ſaïd Wardens for the Time being and their Succeſſors, by Action of Debt, Bill, Plaint or Information in any Court of Record; in which Action, Bill, Plaint or Information, no Wager of Law, Protection, Injunction or foreign Plea ſhall be allowed.

Penalty.

Oath.

IX. And in caſe it ſhall fortune hereafter, that any of the ſaïd Ruſſels Sattens, Sattens Reverses and Fuſtians of *Norwich*, ſhall lack of ſuch Lengths and Breadths, or of the true and enſuing Making or Sorting of the Yarn, as ſhall be appointed and ſet forth by the ſaïd Rules and Ordinances, and the ſame ſo to be found defective by Verdict of twelve Men of the ſaïd Fellowship, before the ſaïd Mayor and Wardens, and their Succeſſors, That then the ſaïd Ruſſels Sattens, Sattens Reverses and Fuſtians of *Naples*, and every of them, ſo found defective, to be cut in two Pieces, and to pay ſuch Fine or Fines as ſhall be offered and aſſeſſed by the ſaïd twelve expert Men, by Virtue of their Oaths; the one Moiety of which Fine or Fines to be to the Mayor of the ſaïd City for the Time being, and to his Succeſſors, and the other Moiety to the Wardens of the ſaïd Fellowship for the Time being, and to their Succeſſors.

Sattens, &c. found by Verdict to be defective.

Penalty.

X. Provided always, and be it further enacted by the Authority aforeſaid, That if any Warden or Wardens for the Time being, of the ſaïd Myſtery or Occupation of making Ruſſels Sattens, Sattens Reverses and Fuſtians of *Naples*, ſhall at any Time hereafter ſeal, or cauſe to be ſealed any Ruſſels Sattens, Sattens Reverses or Fuſtians of *Naples*, that ſhall not be well, ſufficient and truly wrought and made according to the true Intent and Meaning of this preſent Act, he ſhall forfeit and loſe for every Piece ſo ſealed, being not well, ſufficient and truly wrought and made, the whole Value of every ſuch Piece ſo ſealed; the one Half of which Forfeitures to be to the King and Queen's Majeſties, her

Warden ſealing Ruſſels Sattens, &c. being defective.

Penalty.

Heirs and Successors, and the other Moiety thereof to be to such Person and Persons as shall sue for the same by Bill, Action or Information, in any of the King and Queen's Courts of Record; in which Bill, Action or Information, no Effoin, Protection or Wager of Law shall be allowed.

C A P. XV.

An Act to confirm the Liberties of the Lords Marchers in *Wales*.

27 H. 8. c. 26.
§ 25.

HUMBLY beseeching your excellent Majesties, your true and faithful Subjects the Lord Marchers, both Spiritual and Temporal, within your Highness Dominion of *Wales*, That whereas in the Parliament holden at *Westminster*, the xxvii. Year of the Reign of King *Henry* the Eighth, Father unto you our natural Sovereign Lady, amongst other Things, one Act was made and established, for Laws and Justice to be ministered in the said Dominion of *Wales*, in like Form as it is in this Realm of *England*: In the which Act one Article is, That for that the Lord Marchers before the Parliament had used to put their Tenants within their Lordships Marchers under common Mainprife and Surety of Appearance, and have had the Forfeitures thereof, which for ever, from and after the Feast of *All Saints*, then next ensuing the said Parliament, should utterly cease and be determined.

27 H. 8. c. 26.
§ 25.

II. It was enacted, That after the said Feast of *All Saints*, every Lay and Temporal Person then being a Lord Marcher, should have the Moiety or Half of every Forfeiture of all and every common Mainprife, Recognisance for the Peace or Appearance, forfeited by any of their Tenants inhabiting within any of their Lordships Marchers, and they to be paid the same Moiety or Half by the Hands of the Sheriff of every of the Counties where such Forfeiture shall be, if the Sheriff can levy the same; and the said Sheriff to accompt to our said late Sovereign Lord the King for the other Half or Moiety, in such Exchequer as they be accomptant.

27 H. 8. c. 26.
§ 26.

III. And further it was enacted by the Authority aforesaid, That all and every Lay and Temporal Person or Persons, then being Lords Marchers, and having any Lordships Marchers or Lordships Royal, should from and after the said Feast of *All Saints*, have all such Mises and Profits of their Tenants, as they have had, or used to have, at their first Entry into their Lands in Times past: And also should have, hold and keep within the Precinct of their Lordships, Courts Baron, Courts Lect and Lawdays, and all and every Thing to the said Courts belonging; and also should have within the Precinct of their said Lordships or Lawday, Waife, Straife, Infang-thefe, Outfang-thefe, Treasure-trove, Deodands, Goods and Chattels of Felons, and of Persons condemned or outlawed of Felony or Murder, put in Exigent for Felony or Murder, and also Wreck *de mers*, Wharfage and Custom of Strangers, as they have had in Times past, and as though such Privileges were granted unto them by Point of Charter; any Thing in that Act to the contrary notwithstanding, as in the said Act of Parliament more at large it may appear:

IV. And

‘ IV. And forasmuch as Bishops and other Ecclesiastical Persons being Lords Marchers, having the like Liberties, Casualties, Profits and Commodities, within their Lordships Marchers, and Lordships Royal, within the said Dominion or Principality of *Wales*, were not provided for by the express Letter of the said Statute, in like Sort as the Lay and Temporal Lords Marchers were, but rather of Purpose, as it should seem, forgotten and left out of the said Act, against all Reason and good Equity: And forasmuch also as the Heirs and Successors of the Lay and Temporal Lords Marchers then being, were not provided for by the Limitation and express Words of the said Act; as well as their Ancestors and Predecessors were, as Reason would they should have been:’

V. It may please your Majesties of your most gracious Favours and Benignity, at the humble Suit and Supplication of your said faithful Subjects, the Lords Marchers that now are in the said Dominion of *Wales*, both Spiritual and Temporal, to grant that it may, by the Assent of the Lords Spiritual and Temporal; and the Commons, in this present Parliament assembled, be ordained, established and enacted by the Authority of this present Parliament assembled, That as well your said Spiritual and Ecclesiastical Subjects, Lords Marchers, now having Lordships Marchers or Lordships Royal in *Wales* aforesaid, and their Successors, and the Successors of every of them, as also the Heirs and Successors of the Lords Temporal Marchers that then were, or now be, and the Heirs and Successors of every of them, being or which hereafter shall be Lords Marchers, within their Lordships Marchers or Lordships Royal in the Dominion or Principality of *Wales*, shall have and enjoy to them, and to their Heirs and Successors respectively and severally for ever, the Moiety and Half of every Forfeiture of all and every common Mainprise, Recognisance for the Peace or Appearance, forfeited by any their Tenants inhabiting within any of their Lordships Marchers or Lordships Royal; and they to be paid the same Moiety or Half by the Hands of the Sheriff of the County for the Time being, after such Form and Sort as the said Lay or Temporal Lords Marchers have been or ought to have been paid the same, by Force of the said Statute:

27 H. 8. c. 26.
extended to
Ecclesiastical
Lords Marchers.

VI. And further, shall have all such Mises and Profits of their Tenants, as the Lords Marchers, Spiritual or Temporal, respectively or severally had or used to have at their first Entry into their Lands in Times past before the Making of the said Act or Statute: And also shall have, hold and keep within the Precinct of their said Lordships all such Courts Baron, Courts Leet and Lawdays, and all and every Thing and Things to the same Courts belonging: And also shall have within the Precinct of their said several Lordships or Lawdays, all such Waife, Straife, Infangthefe, Outfangthefe, Treasure-trove, Deodands, Goods and Chattels of Felons, and of Persons condemned or outlawed of Felony or Murder, put in Exigent for Felony or Murder, and also all such Wreck *de mere*, Wharfage, and Customs of Strangers, as the Lords Marchers Spiritual and Temporal respectively and severally had and used in Times past, before the Making of the said Statute.

To have Mises
Courts, &c. as
formerly.

C A P. XVI.

An Act for the Continuation of certain Statutes. EXP.

C A P. XVII.

An Act touching Leases hereafter to be made by certain Spiritual Persons.

28 H. 8. c. 12.
§ 7, 8.

WHERE in the Parliament begun and holden at *Westminster* the Eighth Day of *June* in the xxvij. Year of the Reign of our late King of famous Memory, *Henry* the Eighth, and there continued and kept until the Dissolution of the same Parliament the Eighteenth Day of *July* next following, one Act entituled, *An Act for the Restitution of the First Fruits in the Time of Vacation to the next Incumbent*, was had and made, wherein are certain Clauses for Leases then made and to be made by Spiritual and Ecclesiastical Persons, to endure and be in Force for Term of Six Years, if the Incumbents did resign their said Spiritual Promotions, or if the same should otherwise become void by the only Act of the same Incumbents, as by the same Act more at large may appear: To the Intent the Parsons and Vicars, and others having Cure of Souls, may the better attend, and be the more vigilant in their Ministry and Function:

Shall not extend to Leases hereafter to be made by Spiritual Persons.

II. Be it enacted by the King our Sovereign Lord, and by the Queen our Sovereign Lady, with the Assents of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That as much of the same Act as doth concern the making good of the same Leases, as any Clause, Sentence, Provision or Article therein contained, shall extend or be construed or adjudged to extend to any Lease that shall be made by any Parson, Vicar, or any other having any Spiritual Promotion after the Feast of the Purification of our Lady next coming.

Anno secundo & tertio PHILIPPI & MARIE.
(A.D. 1555.)

STATUTES made at a Parliament begun and holden at Westminster the One and Twentieth Day of October in the Second and Third Year of the Reign of PHILIP and MARY, by the Grace of God, King and Queen of England, France, Naples, Jerusalem and Ireland, Defenders of the Faith, Princes of Spain and Sicily, Archdukes of Austria, Dukes of Milan, Burgundy and Brabant, Counts of Hapsburg, Flanders and Tyroll, *viz.*

C A P. I.

An Act for the Re-edifying of Castles and Forts, and for the inclosing of Grounds, upon the Borders towards and against Scotland.

[Repealed, 4 Jac. 1. c. 1.]

C A P. II.

An Act for the Re-edifying of decayed Houses of Husbandry, and for Increase of Tillage. EXP.

C A P. III.

An Act for the Keeping of Milch Kine, and for the Breeding and Rearing of Calves.

[Extended to Grounds hereafter to be inclosed, 7 Jac. 1. c. 8; but repealed, 12 G. 3. c. 71. § 1.]

C A P. IV.

An Act for the Extinguishment of the First Fruits, and touching Order and Disposition of the Tenths of Spiritual and Ecclesiastical Promotions, and of Rectories and Parsonages Improprate, remaining in the Queen's Majesty's Hands.

[Repealed 1 Elin. c. 4. § 22.]

C A P. V.

An Act for the Relief of the Poor. EXP.

C A P. VI.

An Act against the excessive Taking of Purveyors.

[Purveyance taken away, 12 Car. 2. c. 24. § 12.]

C A P. VII.

An Act against the Buying of stolen Horses.

‘**F**ORASMUCH as stolen Horses, Mares and Geldings, by Thieves and their Confederates, be for the most Parts sold, exchanged, given or put away in Houses, Stables, Back-sides and other secret and privy Places of Markets and Fairs, and the Toll also privily paid for the same, whereby the true Owners thereof, being not able to try the Falshood and Covin betwixt the Buyer and Seller of such Horse, Mare or Gelding, is by the Common Law of this Realm without Remedy:’

II. Be it therefore enacted by the Authority of this present Parliament, That the Owner, Governor, Ruler, Fermor, Steward, Bailiff or Chief Keeper of every Fair and Market overt within this Realm, and other the Queen’s Dominions, shall, before the Feast of *Easter* next, and so yearly, appoint and limit out a certain and special open Place within the Town, Place, Field or Circuit, where Horses, Mares, Geldings and Colts have been and shall be used to be sold in any Fair or Market overt; in which said certain and open Place, as is aforesaid, there shall be, by the said Ruler or Keeper of the said Fair or Market, put in and appointed one sufficient Person or more, to take Toll and keep the same Place from Ten of the Clock before Noon until Sun-set of every Day of the foresaid Fair and Market, upon Pain to lose and forfeit for every Default Forty Shillings: And that every Toll-Gatherer, his Deputy or Deputies, shall, during the Time of every the said Fairs and Markets, take their due and lawful Tolls for every such Horse, Mare, Gelding or Colt, at the said open Place to be appointed as is aforesaid, and betwixt the Hours of Ten of the Clock in the Morning and Sun-set of the same Day, if it be tendred, and not at any other Time or Place; and shall have presently before him or them, at the taking of the same Toll, the Parties to the Bargain, Exchange, Gift, Contract, or putting away of every such Horse, Mare, Gelding or Colt; and also the same Horse, Mare, Gelding and Colt so sold, exchanged or put away; and shall then write or cause to be written in a Book to be kept for that Purpose, the Names, Surnames, and Dwelling-places of all the said Parties, and the Colour, with one special Mark at the least, of every such Horse, Mare, Gelding and Colt; in Pain to forfeit at and for every Default contrary to the Tenor thereof, Forty Shillings.

III. And the said Toll-Gatherer or Keeper of the said Book shall within One Day next after every such Fair or Market bring and deliver his said Book to the Owner, Governor, Ruler, Steward, Bailiff or Chief Keeper of the said Fair or Market, who shall then cause a Note to be made of the true Number of all Horses, Mares, Geldings and Colts sold at the said Market or Fair, and shall there subscribe his Name, or set his Mark thereunto; upon Pain to him that shall make Default therein, to lose and forfeit for every Default Forty Shillings, and also answer the Party grieved by reason of the same his Negligence in every Behalf.

IV. And be it further enacted by the Authority aforesaid, That the Sale, Gift, Exchange, or putting away after the last Day of *February* now next coming, in any Fair or Market overt, of any Horse,

Place appointed
for Horie-Fair.

Penalty.
Toll-Taker.

Toll for Horses.

Penalty:

A Note of all
Horses sold in
Fair, &c.

Penalty.

Owner’s Pro-
perty where not
taken away.

Horse, Mare, Gelding or Colt, that is or shall be thieviously stolen or feloniously taken away from any Person or Persons, shall not alter, take away, nor exchange the Property of any Person or Persons to or from any such Horse, Mare, Gelding or Colt, unless the same Horse, Mare, Gelding or Colt shall be in the Time of the said Fair or Market wherein the same shall be so sold, given, exchanged or put away, openly ridden, led, walked, driven or kept standing by the Space of One Hour together at the least, betwixt Ten of the Clock in the Morning and the Sun-setting, in the open Place of the Fair or Market wherein Horses are commonly used to be sold, and not within any House, Yard, Back-side or other privy or secret Place, and unless all the Parties to the Bargain, Contract, Gift or Exchange, present in the said Fair or Market, shall also come together, and bring the Horse, Mare, Gelding or Colt so sold, exchanged, given or put away, to the open Place appointed for the Toll-Taker, or for the Book-Keeper where no Toll is due, and there enter or cause to be entered their Names and Dwelling-places, in Manner as is aforesaid, with the Colour or Colours, and One special Mark at the least of every the same Horses, Mares, Geldings or Colts, in the Toll-Taker's Book, or in the Keeper's Book for that Purpose where no Toll is due, as is aforesaid, and also pay him their Toll, if they ought to pay any; and if not, then the Buyer to give One Penny for the Entry of their Names, and executing the other Circumstances afore rehearsed, to him that shall write the same in the said Book.

Fee.

V. And if any Horse, Mare, Gelding or Colt, that is or shall be thieviously stolen or taken away, shall after the said last Day of *February* next coming be sold, given, exchanged or put away, in any Fair or Market, and not used in all Points according to the Tenor and Intent of this Estatute, that then the Owner of every such Horse, Mare, Gelding, or Colt, shall and may by Force of this Estatute seise or take again the said Horse, Mare, Gelding or Colt, or have an Action of Detinue or Replevin for the same; any Sale, Gift, Exchange, or putting away of any such Horse, Mare, Gelding or Colt, other than according to this Estatute, in any wise notwithstanding.

Where Owner shall have his Horse again.

VI. The one Half of all which Forfeitures to be to the King and Queen's Majesties, her Heirs and Successors, and the other to him or them that will sue for the same before the Justices of Peace, or in any of the King's and Queen's Majesty's ordinary Courts of Record, by Bill, Plaint, Action of Debt or Information, in which Suits no Protection, Effoin or Wager of Law shall be allowed.

VII. And be it enacted by the Authority aforesaid, That the Justices of Peace of every Place and County, as well within Liberties as without, shall have Authority in their Sessions, within the Limits of their Authority and Commission, to inquire, hear and determine all Offences against this Estatute, as they may do any other Matter triable before them.

Who shall determine Offences.

VIII. Provided always, That in every such Fair or Market, where any Toll is nor shall be due ne leviabie, by reason of the Freedom, Liberty or Privilege of the said Fair or Market, the Keeper or Keepers of the Book, touching the Execution of this present Act, shall take nor exact but One Penny upon and for every Contract, for his Labour in writing the Entry concerning the Premises, in Manner and Form as is before declared.

Fee of Book Keeper.

C A P. VIII.

An Act for the amending of Highways.

[Made perpetual 29 Eliz. c. 5. § 2.; repealed 7 G. 3. c. 42. § 57-
13 G. 3. c. 78. § 84.]

C A P. IX.

An Act to make void divers Licences for Houses, wherein unlawful Games be used.

‘ **M**OST humbly beseecheth the Queen’s most Excellent Highness, your loving and obedient Subjects, the Commons in this your present Parliament assembled, That where by Reason of divers sundry Licences heretofore granted to divers Persons, as well within the City of *London* and the Suburbs of the same, as also in divers other Places within your Highness Realm, for the having, maintaining and keeping of Houses, Gardens and Places for Bowling, Tennis, Dicing, White and Black, Making and Marring, and other unlawful Games prohibited by the Laws and Statutes of this Realm, divers and many unlawful Assemblies, Conventicles, Seditions and Conspiracies have and been daily secretly practised by idle and misruled Persons repairing to such Places; of the which, Robberies and many other Misdemeanors have ensued, to the Breach of your Highness Peace: For Remedy whereof, it may please your Highness that it may be enacted by your Highness, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That from and after the Feast of the Birth of our Lord God now next coming, every Licence, Placard or Grant made to any Person or Persons, for the having, Maintenance, or keeping of any Bowling-Allies, Dicing-houses, or other unlawful Games, prohibited by the Laws and Statutes of this Realm, shall be from the said Feast utterly void and of none Effect.

All Licences to
keep such Houses
shall be void.

C A P. X.

An Act to take Examination of Prisoners suspected of Manslaughter or Felony.

1 & 2. P. & M.
c. 13 § 4.

‘ **W**HERE in the last Parliament holden at *Westminster*, amongst other Things it was enacted, That such Justices of the Peace as have Authority to bail any Prisoners brought before them for any Manslaughter or Felony, before any Bailment or Mainprise, should take the Examination of the said Prisoner, and Information of them that bring him, of the Fact and Circumstances thereof, and the same, or as much thereof as shall be material to prove the Felony, shall put in Writing before they make the same Bailment; which said Examination, together with the said Bailment, the said Justices shall certify at the next General Gaol-delivery to be holden within the Limits of their Commission, as by the same Act more plainly is contained, and may appear:

‘ II. And forasmuch as the said Act doth not extend to such Prisoners as shall be brought before any Justices of Peace for Manslaughter or Felony, and by such Justice shall be committed to Ward for the Suspicion of such Manslaughter or Felony,
‘ and

‘ and not bailed, in which Case the Examination of such Prisoner, and of such as shall bring him, is as necessary, or rather more than where such Prisoner shall be let to Bail or Mainprise :’ Be it therefore enacted by the Authority of this present Parliament, That from henceforth such Justice or Justices before whom any Person shall be brought for Manslaughter or Felony, or for Suspicion thereof, before he or they shall commit or send such Prisoner to Ward, shall take the Examination of such Prisoner, and Information of those that bring him, of the Fact and Circumstance thereof, and the same, or as much thereof as shall be material to prove the Felony, shall put in Writing within Two Days after the said Examination ; and the same shall certify in such Manner and Form, and at such Time, as they should and ought to do, if such Prisoner so committed or sent to Ward had been bailed or let to Mainprise, upon such Pain as in the said former Act is limited and appointed for not taking, or not certifying such Examinations as in the said former Act is expressed. And be it further enacted, That the said Justices shall have Authority by this Act, to bind all such by Recognisance or Obligation, as do declare any Thing material to prove the said Manslaughter or Felony against such Prisoner as shall be so committed to Ward, to appear at the next General Gaol-delivery to be holden within the County, City or Town Corporate where the Trial of the said Manslaughter or Felony shall be, then and there to give Evidence against the Party ; and that the said Justices shall certify the said Bonds taken before them, in like Manner as they should and ought to certify the Bonds mentioned in the said former Act, upon Pain as in the said former Act is mentioned, for not certifying such Bonds as by the said former Act is limited and appointed to be certified.

Justice shall examine Person suspected of Felony, before Committal.

Penalty.

Binding over.

Penalty.

C A P. XI.

An Act touching Weavers.

‘ **F**ORASMUCH as the Weavers of this Realm have as well at this present Parliament, as at divers other Times, complained that the rich and wealthy Clothiers do many ways oppress them, some by setting up and keeping in their Houses divers Looms, and keeping and maintaining them by Journeymen and Persons unskilful, to the Decay of a great Number of Artificers which were brought up in the said Science of Weaving, their Families and Household ; some by ingrossing of Looms into their Hands and Possessions, and letting them out at such unreasonable Rents, as the poor Artificers are not able to maintain themselves, much less their Wives, Families and Children ; some also by giving much less Wages and Hire for the weaving and Workmanship of Clothes, than in Times past they did, whereby they are enforced utterly to forsake their Art and Occupation wherein they have been brought up :’

II. It is therefore for Remedy of the Premises, and for the avoiding of a great Number of Inconveniencies which may grow (if in Time it be not foreseen) ordained, established and enacted, &c.

[Repealed 49 G. 3. c. 109. § 1.]

C A P. XII.

An Act for the Viewing and Sealing of Clothes commonly called *Bridgwaters*.

‘ **W**HERE before this Time the Boroughs and Towns of *Bridgwater*, *Taunton* and *Chard* in the County of *Somerset* have been well and substantially inhabited, occupied, maintained and upholden, for the most Part by Reason of the making of Woollen Clothes, commonly called *Bridgwater*, *Taunton* and *Chard* Clothes, which in Times past were much desired, as well beyond the Seas, as in the Realm of *England*, and thereby the Inhabitants and poor People of the said Boroughs and Towns, and of the Country thereabouts, were daily set on work, and had sufficient Living by the same; and where also the said Towns in Times past were of great Force and Strength to serve the King and Queen’s Highness Progenitors and Ancestors, Kings of this Realm: Forasmuch as of late Days divers Persons inhabiting and dwelling in Villages, Hamlets and small Towns of Husbandry in the said County of *Somerset*, which were never Prentices, or skilful in making of the said Clothes, as well for their private Wealths and Commodity, as also because they would be out of due Search of their Clothes to be made according to the Statute therefore provided, not regarding the Maintenance of the said Boroughs and Towns, nor the Common-wealth of the Handicraftsmen, and other poor People which chiefly had their Living and Sustainance by making of the said Cloth, have of late Days exercised, used and occupied the Mysteries of Cloth-making, Weaving, Fulling and Shearing, within their Houses, and have so deceitfully made, wrought and stretched the said Clothes, to the Infamy and Slander of Cloth-making, in such Sort and Manner, that not only the same Sorts of Cloths are grown out of Estimation, but also the said Towns are in great Decay, Ruin and Depopulation:’

II. For Remedy whereof, Be it enacted, &c. [Repealed]
49 G. 3. c. 109. § 1.]

C A P. XIII.

An Act for the Inhabitants of *Halifax*, touching the buying of Wools.

‘ **F**ORASMUCH as the Parish of *Halifax* and other Places thereunto adjoining, being planted in the great Wafts and Moors, where the Fertility of Ground is not apt to bring forth any Corn nor good Grass, but in rare Places, and by exceeding and great Industry of the Inhabitants; and the same Inhabitants altogether do live by Cloth-making, and the great Part of them neither getteth Corn, nor is able to keep a Horse to carry Wools, nor yet to buy much Wool at once, but hath ever used only to repair to the Town of *Halifax*, and some other nigh thereunto, and there to buy upon the Wool-driver, some a Stone, some two, and some three and four, according to their Ability, and to carry the same to their Houses, some thrice, four, five and six Miles off, upon their Heads and Backs, and so to make and convert the same either into Yarn or Cloth, and to sell the same, and so to buy more Wool of the Wool-driver; by Means of which

‘ Industry

' Industry the barren Grounds in those Parts be now much inha-
 ' bited, and above five hundred Housholds there newly increased
 ' within these forty Years past, which now are like to be undone and
 ' driven to Beggery, by Reason of the late Estatute made, that 5 & 6 E. 6 c. 7.
 ' taketh away the Wool-driver, so that they cannot now have their
 ' Wool by such small Portions as they were wont to have, and that
 ' also they are not able to keep any Horses whereupon to ride, or
 ' set their Wools further from them in other Places, unless some
 ' Remedy may be provided : ' For the Remedy whereof, Be it
 enacted by the King and Queen's Majesties, by the Lords Spiritual
 and Temporal, and the Commons, in this present Parliament, and
 by the Authority of the same, That from henceforth it shall be
 lawful to any Person or Persons inhabiting within the Parish of
Halifax, to buy any Wool or Wools, at such Times as the Clothiers
 may buy the same, otherwise than by ingrossing and forestalling, so
 that the Persons so buying the same do carry or cause to be carried
 the said Wools so bought by them, to the Town of *Halifax*, and
 there to sell the same to such poor Folks of that and other Parishes
 adjoining, as shall work the same in Cloth or Yarn (to their
 Knowledge) and not to the rich and wealthy, nor to any other to
 sell again : And if either the said Wool-driver shall sell his said
 Wools at any other Place forth of the said Town of *Halifax*, or if
 any such shall buy their Wools at *Halifax*, shall sell their Wools
 that they bought, again unwrought in Yarn or Cloth, that
 then every such Offender to lose and forfeit the double Value of
 the Wool so sold or uttered ; the one Moiety thereof to be to
 the King and Queen's Majesties, her Heirs and Successors, Kings
 of this Realm, and the other Moiety to him or them that will sue
 for the same in any of the King and Queen's Majesties Courts of
 Record, or before the Justices of Peace in their Sessions, who by
 virtue hereof in their open Sessions shall have Authority upon
 Information to hear and determine the same, and to make Process
 against the Offenders, as in any other Case to be determined
 before them.

The Inhabitants
 of *Halifax* may
 buy Wool and
 sell it again
 there.

Penalty.

Justices may
 determine Of-
 fences.

C A P. XIV.

An Act for the re-edifying of four Mills near the City of
Hereford.

C A P. XV.

An Act that Purveyors shall not take Victuals within five
Miles of *Cambridge* and *Oxford*.

' **H**UMBLY sue to your Majesties, the Societies, Colleges
 ' and Companies of your true and faithful Subjects and daily
 ' Orators, the Scholars and Students of both your Majesties Uni-
 ' versities, *Cambridge* and *Oxford*, that where it hath been ac-
 ' customed Time out of Mind that both the said Market Towns
 ' of *Cambridge* and *Oxford*, wherein the said two Universities be set,
 ' and the Circuit of five Miles next adjoining hath been free from
 ' any Charge or Molestation of any common Takers or Purveyors
 ' for Victual, whereby the said Markets were more plentifully
 ' served with Victual, and the poor Estate of a great Multitude
 ' of Scholars having very bare and small Sustentation, thereby
 ' relieved,

‘relieved, and now by the Means that, contrary to the same laudable Custom, divers Purveyors and Takers have of late excessively frequented the same Markets, and thereby given Occasion to make Victuals both more skant and much dearer to a notorious Decay of Scholars, which also daily in this great Dearth is like to increafe and be more lamentable, to the Hindrance of God’s Service, the Dishonour of the Realm, the Discomfort of all good and holy Men loving Learning and Virtue.’

Purveyor taking
Victual.

II. It may therefore please your Majesties, of your great Pity, and abundant Favour and Love towards your said Two Universities, being the very Two only Nurseries of good Learning in this Realm, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, to enact, ordain and establish, That from henceforth, no Manner of Purveyor, Taker, Badger, Loder, or other Minister may, or shall take or bargain for any Kind of Victual or Grain in any of the said Markets or Towns of *Cambridge* and the City of *Oxford*, nor shall take or bargain for any Victual within the Compasse of Five Miles thereto adjoining, without the Consent, Agreement or good Will of the Owner or Owners; neither shall attempt to carry, take away or bargain for any Manner of Grain or other Victual bought or provided within the said Space of Five Miles by any common Minister of any College, Hostel or Hall, to be spent within any of the said Colleges, Hostels or Halls, upon Pain of the Forfeiture of the Quadruple Value of any such Manner, Grain or Victual so taken or bargained for, in any of the said Markets, or within the said Space of Five Miles, against the Will of the Owners, as is abovesaid, or attempted to be taken, carried away or bargained for, being provided as is abovesaid, for to be spent in any of the Colleges, Hostels or Halls: And further, shall suffer Imprisonment for the Space of Three Months without Bail or Mainprise; and that the Chancellor or Vice Chancellor, or his Commissary for the Time being, in either of the said Universities, with Two Justices of Peace of the County wherein the said Universities be set, shall have full Power by Authority of this Act, to inquire by the Oaths of xii. Men, of and upon the Defaults and Offences committed contrary to the Tenor thereof, and to see due Punishment and Reformation thereof in Form aforesaid, from Time to Time; the One Half of which foresaid Forfeitures to be to the common Treasure of either the said Universities, respectively to the Fault committed against this their Privilege, the other Half to the Party that will sue for the same by Action of Debt, Bill, Plaint or otherwise, in any Court of Record, or before the foresaid Chancellor, his Vice Chancellor or Commissary for the Time being, and Two Justices of Peace as is before expressed.

Penalty.

Imprisonment.

Provide.

III. Provided, That this Act shall not be put in Execution at any Time or Times whensoever your Majesties, or the Heirs or Successors of your Majesty our Sovereign Lady, shall please to come to any of both the said Universities, or within Seven Miles of either of them, but shall be in Suspence during that Time only, and not longer.

Provide.

IV. Provided always and be it enacted by the Authority aforesaid, That this Act or any Thing therein contained, shall not in any wise be prejudicial or hurtful to the Mayor, Bailiffs and Commonalty

monakye of the City of *Oxford*, nor to the Mayor and Commonalty of the Town of *Cambridge*, or to their Successors, for and concerning any of their Liberties or Privileges, but that they and every of them, and their Successors respectively, may have and use the same in such Manner and Form as they or any of them might or ought to have done, before the making of this Act, any Thing in this Act contained to the contrary notwithstanding.

[*Purveyance taken away*, 12 Car. 2. c. 24. § 12.]

C A P. XVI.

An Act touching Watermen and Bargemen upon the River of *Thames*.

WHEREAS heretofore for Lack of good Government and due Order amongst Wherrimen and Watermen exercising, using and occupying Rowing upon the River of *Thames*, there have divers and many Misfortunes and Mischances hapned and chanced of late Years past, to a great Number of the King and Queen's Subjects, as well to the Nobility as to other the common People that have passed and repassed, and been carried by Water, by Reason of the rude, ignorant and unskilful Number of Watermen, which for the most part been matterless Men, and single Men of all Kinds of Occupations and Faculties, which do work at their own Hands, and many Boys being of small Age, and of little Skill, and being Persons out of the Rule and Obedience of any honest Master and Governor, and do for the most Part of their Time use Dyeing and Carding, and other unlawful Games, to the great and evil Example of other such like, and against the Commonwealth of this Realm: And all which said evil and ignorant Persons in the Time of pressing by Commission, for the Service of the King and Queen's most Royal Majesties upon the Sea, for that they have no known Places of abiding, do for the most part absent and convey themselves into the Country, and other secret Places, practising there Robberies and Felonies, and other evil and detestable Facts, to the great Annoyance of the Commonwealth; and so after the said Commission of Pressing ended, oft times the said evil Persons do repair again to their former Trade of Rowing, colouring their evil Deeds; and also divers of them being very ignorant, for Lack of convenient Time of Learning and Exercise, in the which they might obtain sufficient Knowledge of their Occupation, do oftentimes presume and enterprise to receive divers of our said Sovereign Lord and Lady the King and Queen's Majesties loving Subjects into their Boats and Wherries, and do carry and convey their said Subjects from Place to Place by Water, upon the said River of *Thames*, whereby divers Persons have been robbed, and spoiled of their Goods, and also drown'd;

II. And for and by the Occasion aforesaid, be daily put in Fear and Peril of their Lives, the which is very lamentable and not to be permitted or suffered in any Commonwealth: And by Reason also, that a great Number, and the most Part of the Wherries and Boats now occupied and used, and of late Time made for Rowing upon the said River, been made so little and small in Proportion, and so strait and narrow in the Bottom, varying much from the old substantial Sort and sure Making of Boats and Wherries which

was

- was used before the Space of twenty Years last past, inſomuch as
- the moſt Part of Boats and Wherries uſed at this Day, been ſo
- ſhallow and tickle, that thereby great Peril and Danger of Drown-
- ing hath many Times enſued, and daily is likely to enſue, unleſs
- ſome ſpeedy Remedy be herein had and provided :

Eight Officers of
Watermen upon
the River of
Thames.

III. For Reformation whereof, be it enacted by the King and Queen's Majesties, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the ſame, That there ſhall be yearly appointed, choſen and elected by the Mayor and the Court of Aldermen of the City of *London* for the Time being, the Number of Eight Perſons of the moſt wiſe, diſcreet and beſt Sort of Watermen, being Houſholders, and occupying as Watermen upon the ſaid River between *Graveſend* and *Windſor*; which Election ſhall be yearly at the firſt Court of Aldermen to be holden within the ſaid City next after the firſt Day of *March*: And the ſame eight Perſons ſo elected ſhall be named and called The Overſeers and Rulers of all the Wherrimen and Watermen that from and after the ſaid firſt Day of *March* ſhall uſe, occupy or exerciſe any Rowing upon the ſaid River of *Thames* betwixt *Graveſend* and *Windſor* aforeſaid; which ſaid Overſeers and Rulers ſhall keep and maintain good Order and Obedience amongſt the ſaid Watermen, according to the true Meaning of this preſent Act.

Two Watermen
ſhall not carry
any, but where
one of them is
allowed by the
Overſeers, &c.

IV. And alſo be it further enacted by the Authority aforeſaid, That after the Feaſt of *Pentecoſt* next coming, no Perſon nor Perſons, where two Watermen and not above the Number of two ſhall row together in one Boat or Wherry, in any Place or Places betwixt *Graveſend* and *Windſor* aforeſaid, ſhall preſume to enterpriſe to receive or take any Perſon or Perſons into his or their Boat or Wherry, to the Intent to carry or convey him or them therein, unleſs one of the ſame two Watermen have been for the moſt part exerciſed and uſed in Rowing upon the ſaid River of *Thames*, by the Space of two whole Years before that Time; and that alſo one of the ſame two Watermen at leaſt be duly admitted and allowed by the ſame eight Overſeers and Rulers, or the moſt Part of them, by Writing under their known Seal, to be a ſufficient and able Waterman; upon Pain that every Perſon and Perſons preſuming or offending contrary to the true Meaning of this preſent Act, ſhall by the ſaid eight Overſeers or Rulers be committed to Priſon in one of the Counters of the City of *London*, there to remain by the Space of one Month or leſs, as the Offence ſhall require.

Imprifonment.

No ſingle Man
ſhall be a Wa-
terman, &c.

V. And alſo be it further enacted, That no Perſon or Perſons being ſingle Men, not keeping Houſhold and not retained, ſhall from and after the ſaid Feaſt of *Pentecoſt* next coming, uſe or exerciſe to row between *Graveſend* and *Windſor* aforeſaid, unleſs he or they be Prentice or Prentices, or in Service retained with a Maſter by the whole Year at the leaſt, upon Pain of like Imprifonment.

Who ſhall have
Authority to pu-
niſh Offenders.

VI. And alſo be it further enacted, That the Lord Mayor of *London*, and the Aldermen of the ſame City, and the Juſtices of Peace within the Shires next adjoining to the ſaid River of *Thames*, every of them within their ſeveral Jurifdictions and Authorities, ſhall have full Power and Authority by virtue of this preſent Act, upon Complaint made to them or any of them by the ſaid Overſeers and Rulers, or two of them, or the Maſter or Maſters of any ſuch Servants, not only to examine, hear and determine all Complaints or Offences

Offences to be done or committed by any such Person or Persons that shall offend contrary to the true Meaning of this present Act, and to set at large all and every such Person and Persons as shall fortune to be imprisoned by the said Overseers and Rulers according to this Act, if just Cause shall appear unto them so to do; but also by their good Discretions and Wisdom to punish, correct and reform the said Overseers and Rulers, and every of them, that shall unjustly, or without good Cause or Ground, punish any Person or Persons by Colour of this present Act, or any Thing therein contained.

VII. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, from henceforth do or shall make any Wherry or Boat, to the Intent commonly to use rowing and carrying People upon the said River of *Thames*, which shall not be xxiij. Foot and a Half in Length, and iv. Foot and a Half broad in the Midship, or which shall not be substantially and well able and sufficient to carry two Persons on one Side tight, according to the old Quantity, Scantling, Thickness of Board, Goodness and good Proportion heretofore had and used; that then the same Boat or Boats so being made contrary to the Proportion and Sort before expressed, shall be taken as forfeit, and shall be forfeit, the one Half thereof to the King and Queen's Majesties, our said Sovereign Lord and Lady's Use, and to the Use of the Heirs and Successors of the Queen's Majesty, and the other Half to him or them that will sue for the same in any of the King and Queen's Majesties Courts of Record, by Action of Detinue, Bill, Plaint, Information or otherwise; wherein no Wager of Law, Essoin, Protection or Injunction shall be allowed for the Defendant.

The Length,
Breadth and
Goodness of
Boats.

Penalty.

VIII. And be it further enacted, That if any Person or Persons which from and after the said Feast shall use and exercise the Occupation of Rowing betwixt *Gravefend* and *Windsor* aforesaid, which in the Time of the Execution of any Commission of Pressing that shall be had for the Service of the King and Queen's Majesties, and the Heirs and Successors of the Queen's Majesty, in their Affairs, shall willingly, voluntarily and obstinately withdraw, hide or convey him or themselves in the same Time of Pressing, into secret Places and Outcorners, and after when such Time of Pressing is overpassed, shall return and come again to the said River of *Thames*, to row betwixt *Gravefend* and *Windsor* aforesaid, and that duly proved by two indifferent Witnesses, before the said Lord Mayor and Court of Aldermen or Justices of the Peace, and two of the said Rulers; that then he or they so doing or offending shall suffer Imprisonment by the Space of two Weeks, and be banished any more to Row from thenceforth upon the said River of *Thames*, by the Space of one whole Year and Day then next following. [See 4 & 5 Ann. c. 19. § 18.]

Watermen with-
drawing them-
selves in Time
of Pressing.

Punishment.

IX. And be it further enacted, That it shall be lawful to the said eight Rulers for the Time being, and their Successors from Time to Time, to convent and call before them at some convenient Place by them to be appointed, all and every such Person and Persons, which from and after the said Feast of *Pentecost* shall occupy and use the said Trade and Occupation of Rowing betwixt *Gravefend* and *Windsor* aforesaid, and shall enter and register the Name and Names of them and every of them, that shall

The Overseers
shall correct Wa-
termen, and
register their
Names.

Shall view the
Boats before they
be launched.

Refusing their
Place, or being
negligent
therein.

Penalty.

Assessment of
Fares for rowing
between *Gravesend*
and *Windfor*.

Penalty.

be by them allowed or admitted for Watermen to row betwixt *Gravesend* and *Windfor* aforesaid, in a Book to be made for the same Intent and Purpose; and to take such further Order and Direction therein with every the said Parties, by the Authority of this present Act, as it shall seem meet and necessary by the Discretion of the said Overseers and Rulers for the Time being: And also that the said Overseers and Rulers shall and may by the Authority of this Act oversee, view and survey at all and every Time and Times hereafter, all Manner of Boats and Wherries that shall from and after the said Feast be made, before the said Boat or Boats, Wherry or Wherries, be launched out of the Yard or Ground wherein the same Boat or Boats, Wherry or Wherries shall fortune to be made, into the said River of *Thames*, to the Intent that they and every of them may be made and prepared in such Manner and Form, and according to the Goodness, Proportion and Quantity in this present Act before limited and expressed.

X. And be it further enacted by the Authority aforesaid, That if any Person or Persons which at any Time hereafter shall be elected or chosen to be a Ruler or Overseer as before is expressed, do happen negligently to use and exercise his or their Room or Place, or that will obstinately refuse to take upon him or them the Room or Rooms, Place or Places of any the said Overseers or Rulers, that then all and every such Offender or Offenders so offending shall lose and forfeit the Sum of v. li. of lawful Money of *England*; the one Half whereof shall be to our said Sovereign Lord and Lady the King and Queen's Majesties Use, and to the Use of the Heirs and Successors of the Queen's Majesty, and the other Half to him or them that will sue for the same in any of the King and Queen's Majesties Courts of Record, by Action of Debt, or by any other the Ways or Means above specified, wherein no Wager of Law, Essoin, Protection or Injunction shall be admitted or allowed for the Defendant or Defendants.

XI. And be it further enacted by the Authority aforesaid, That the said Mayor and Court of Aldermen of the said City of *London* for the Time being, shall from Time to Time at their Discretions limit, set and assess the Price or Prices, and Sums of Money, that every Person or Persons so authorized to Row as is aforesaid betwixt *Gravesend* and *Windfor* aforesaid, shall take for his or their Labour or Fare, from Place to Place particularly, betwixt *Gravesend* and *Windfor* aforesaid; and the same Prices and Assessments to be set, shall bring or cause to be brought to the Privy Council of our Sovereign Lord and Lady the King and Queen, to be viewed and seen by some of the said Privy Council; and after that, the said Assessments and Prices shall be signed and subscribed with the Hands of two of the said Privy Council at the least; and the said Mayor and Court of Aldermen for the Time being shall cause the said Prices and Assessments to be written and set up in Tables in the *Guildhall* in the City of *London*, *Westminster-Hall* and elsewhere, where the said Mayor and Court of Aldermen shall think convenient: And every Person and Persons that shall take for his or their Fare or Labour above the Prices that shall be assessed, viewed, written and set up in Form aforesaid, shall forfeit for every such Offence forty Shillings, and also shall suffer Imprisonment by one Half Year: The one Moiety of the said Forfeiture to be to the King and Queen's Majesties, their

Heirs

Heirs and Successors, and the other Moiety thereof to him or them that will sue for the same in any of the King and Queen's Majesties Courts of Record, by Action of Debt, or by any other the Ways or Means above specified, wherein no Wager of Law, Effoin, Protection or Injunction shall be admitted or allowed for the Defendant or Defendants.

XII. And be it further enacted by the Authority aforesaid, That no Person or Persons occupying or using any Western Barge, shall retain, take or receive into his or their Service, any single Person not keeping House or Household, but only such as shall be retained with him or them by the whole Year, and no Householder but such as he or they will or shall answer for, for his or their good Behaviour, upon Pain of Forfeiture for every such Offence xl. s. the one Moiety thereof to be to the King and Queen's Majesties, her Heirs and Successors, and the other Moiety thereof to him or them that will sue for the same in any of the King and Queen's Courts of Record, by Action of Debt, or by any other the Ways or Means above specified, wherein no Wager of Law, Effoin, Protection or Injunction shall be admitted or allowed for the Defendant or Defendants.

Servants of Western Barge-men.

Penalty.

[Query, If § 12. repealed, 5 Eliz. c. 4. § 2.]

C A P. XVII.

An Act to take away the Benefit of Clergy from *Bennet Smith*, for the Murther of *Rufford*.

C A P. XVIII.

An Act touching Commissions of the Peace and Gaol-delivery in Towns Corporate, not being Counties of themselves.

WHERE the King and Queen's most excellent Highness, and their noble Progenitors, Kings of this Realm, have heretofore granted their several Commissions directed as well unto the Mayors, Recorders and other grave Men, and Inhabitants of certain ancient and famous Cities and Towns Corporate within this Realm of *England*, not being Counties in themselves, as also unto divers other worshipful and learned Men, dwelling out of the same Cities and Towns Corporate, as well for the keeping of their Peace, good ordering of their People, and executing of their Laws and Statutes within the same Cities and Towns Corporate, as also for the Delivery of their Majesties Prisoners remaining in the Gaols there; and after the granting of such Commissions, their Majesties have granted divers other like Commissions unto certain worshipful and learned Men of the Shires, Lathes, Rapes, Ridings and Wapentakes, of this Realm of *England*, for the Conservation of their Peace, and also delivering of their Prisoners remaining in their Gaols within the same Shires, Lathes, Rapes, Ridings and Wapentakes; which Commissions so bearing a later Day, have been a *Superseades* and clear Discharge unto all and singular the said former Commissions, granted unto the said Cities and Towns Corporate, not being Counties in themselves; so that the said Mayor and other grave and chiefe Officers of every such City and Town Corporate, have been charged to sue for the renewing again of such Commissions, both for the

‘ Peace and Gaol-delivery, to the great Expences, Costs and
 ‘ Charges of the said Mayor, and other the Inhabitants of such
 ‘ Cities and Towns Corporate, and to the great Protracting and
 ‘ Delay of Justice therein in the mean Time: For Reformation
 ‘ whereof, and for the better Advancement of Justice in the Pre-
 ‘ mises;’

A Commission of
 the Peace and
 Gaol-delivery
 shall not be a
 Superseas to a
 former like
 Commission
 granted to a
 City, &c.

II. Be it therefore enacted by the King and Queen’s Majesties, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That all and singular Commission and Commissions, granted or to be granted to any such City or Town Corporate, not being as is aforesaid a County in itself, for the keeping of their Peace and Delivery of their Prisoners remaining in the Gaols of any such City or Town Corporate, not being a County in itself, shall stand, remain, and be good and available and effectual in the Law, to all Intents, Contractions and Purposes; the granting of any like Commission of Peace, or Gaol-delivery to any Commissioner or Commissioners for the Conservation of the Peace, or Delivery of the Prisoners remaining in the Gaol of any Shire, Lathe, Rape, Riding or Wapentake, within this Realm of *England*, bearing Date after the said Commission or Commissions granted as is aforesaid, to any such City or Town Corporate, not being, as is aforesaid, a County in itself, to the contrary notwithstanding.

C A P. XIX.

An Act touching the Powdike in Marsh-land.

“ 22 H. 8. c. 11. touching Powdike in Marsh-land, (virtually repealed, 1 E. 6. c. 12. § 4. 3.) revived.

C A P. XX.

An Act for the enlarging of the Duchy of *Lancaster*.

‘ **F**ORASMUCH as the King and Queen our Sovereign Lord
 ‘ and Lady considering and regarding the Estate of the Duchy
 ‘ of *Lancaster*, being one of the most famous Princeliest and State-
 ‘ liest Pieces of our said Sovereign Lady the Queen’s ancient Inhe-
 ‘ rittance, do perceive and consider, that the Possessions and yearly
 ‘ Revenues of the said Duchy are and have been of late greatly
 ‘ diminished, as well by reason of sundry Gifts, Grants and Sales
 ‘ made by the late Kings of famous Memory, *Henry* the Eighth
 ‘ and *Edward* the Sixth, late Kings of *England*, Father and
 ‘ Brother to our said Sovereign Lady the Queen’s Highness, as
 ‘ also by reason of sundry Exchanges made with divers of their
 ‘ loving Subjects, of sundry Manors, Lands, Tenements, Posses-
 ‘ sions and Hereditaments lately belonging to the same Duchy,
 ‘ and the Manors, Lands, Tenements, Possessions and Heredita-
 ‘ ments, being received and taken in Recompence of the said Ex-
 ‘ changes, be not annexed to the said Duchy, but been in the
 ‘ Order, Survey and Governance of other Courts and Places so by
 ‘ their Highnesses taken and received in Exchange:

‘ II. And forasmuch also as their Majesties do mind and intend
 ‘ to preserve, advance, maintain and continue the ancient and ho-
 ‘ nourable Estate of the said Duchy;’ our said Sovereign Lord and
 Lady therefore be pleased and contented, that it be enacted, ordained
 and

and established by their Majesties, with the Assents of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That all Honours, Castles, Lordships, Manors, Lands, Tenements, Possessions and Hereditaments within this Realm of *England*, which at any Time since the xxviii. Day of *January* in the first Year of the Reign of our said late Sovereign Lord King *Edward* the Sixth, were Parcel of the Possessions of the said Duchy of *Lancaster*, or which were united and annexed to the said Duchy by Authority of Parliament, Letters Patents or otherwise, and which at any Time since the said xxviii. Day of *January* have been given, granted, alienated, bargained, sold, exchanged or otherwise severed from the said Duchy by our said late Sovereign Lord King *Edward* the Sixth, or by our said Sovereign Lady the Queen that now is, or by our Sovereign Lord and Lady the King and Queen's Majesties that now be, to or with any Person or Persons, and which said Honours, Castles, Lordships, Manors, Lands, Tenements and Hereditaments, since such Gifts, Grants, Alienations, Bargains, Sales, Exchanges or Severance thereof so made as is aforesaid, been comen or returned again to the Hands of our said late Sovereign Lord King *Edward* the Sixth, or to the Hands of our said Sovereign Lady the Queen, or to the Hands of our said Sovereign Lord and Lady the King and Queen, or to the Hands of her Majesty, her Heirs and Successors, in Possession, Reversion, Remainder or otherwise, and which now be or remain in the Hands of our said Sovereign Lord and Lady the King and Queen's Majesties, of any Estate of Inheritance, shall from the Time the same came and reverted again to the Hands of our said late Sovereign Lord King *Edward* the Sixth, or to the Hands of our said Sovereign Lady the Queen, or to the Hands of our said Sovereign Lord and Lady the King and Queen, by Authority and Force of this Act, be united and annexed for ever unto the said Duchy of *Lancaster*, and shall be adjudged, deemed and taken for ever, for and as Parcels and Members of the said Duchy of *Lancaster*; and that all such and those of the said Manors, Lands, Tenements and Hereditaments, which be lying within the County Palatine of *Lancaster*, shall be of the same Nature, Quality, Kind and Condition, to all Intents, Constructions and Purposes, as others the ancient Possessions of the said Duchy, lying and being within the said County Palatine of *Lancaster*, be and ought to be; and all those and such of the said Manors, Lands, Tenements and Hereditaments, which be lying out of the said County Palatine of *Lancaster*, shall be of the same Nature, Quality, Kind and Condition, to all Intents, Constructions and Purposes, as other ancient Possessions of the said Duchy, lying and being out of the County Palatine of *Lancaster*, be and ought to be; and shall be in the Letting, Setting, Order, Rule, Survey, Receipt and Governance of the Chancellor, Counsel and Officers of the said Duchy of *Lancaster* for the Time being for evermore, in like and the same Manner and Form, to all Intents and Purposes, as others the said ancient Possessions belonging to the said Duchy been, have been, or ought to be.

Duchy Lands severed from the Crown, and since reunited, shall be again Parcel of the Duchy.

III. And that all the said Honours, Castles, Lordships, Manors, Lands, Tenements and Hereditaments, united and annexed to the said Duchy of *Lancaster*, by Authority and Force of this Act, and all and singular Gifts, Grants, Leases, Letters Patents and Writings

The new annexed Lands shall pass under the Seal of the Duchy, and with the same Ceremonies,

ings thereof, or of any Parcel thereof, hereafter to be made by the King and Queen's Highness, or by the Heirs or Successors of her Majesty, shall for evermore pass and be made under such of the Seals of the said Duchy, as other the ancient Possessions of the said Duchy have used to pass and be made, and not under any other Seal or otherwise, and with the like and the same Livery of Seisin, Attornment, Ceremonies, Orders and Circumstances in the Law, and in the same Manner and Form, as other the ancient Possessions of the said Duchy, and the Letters Patents, Charters and Writings thereof heretofore of ancient Time made, have used and ought to be made and passed, and not otherwise, nor in any other Manner and Form; any Law, Estate, Usage or Custom to the contrary thereof in any wise notwithstanding.

Other Lands
may be annexed
to the Duchy of
Lancaster.

IV. And be it further enacted, ordained and established by the Authority aforesaid, That our said Sovereign Lord and Lady the King and Queen that now be, and the Heirs and Successors of her Majesty, may from Time to Time hereafter, at their Liberties and Pleasures, by their Graces Letters Patents, to be sealed with the Great Seal of *England*, unite, annex, limit, assign and appoint any other their Honours, Castles, Lordships, Manors, Lands, Tenements and Hereditaments, lying and being within this their said Realm of *England*, unto their said Duchy of *Lancaster*, for the further Augmentation, Honour and Estate of the said Duchy, at their Wills and Pleasures.

V. And that all and every such Annexing, Limiting, Assignment and Appointment made or to be made by our said Sovereign Lord and Lady the King and Queen, or by the Heirs or Successors of our said Sovereign Lady the Queen, of any of their Honours, Castles, Lordships, Manors, Lands, Tenements and Hereditaments, unto the said Duchy of *Lancaster*, by any their said Letters Patents under the Great Seal of *England*, shall be as good and available, as if it were done by Authority of Parliament.

Lands to be an-
nexed lying
within the
County Palatine.

VI. And that all such Honours, Castles, Lordships, Manors, Lands, Tenements and Hereditaments, lying and being within the said County Palatine of *Lancaster*, which shall happen to be united and annexed to the said Duchy by Force of any such Letters Patents, shall from the *Teste* of the said Letters Patents be within the Order, Survey, Rule, Governance, Jurisdiction, Letting and Setting of the said Duchy of *Lancaster* for the Time being, as other the Possessions of the said Duchy, lying and being within the said County Palatine of *Lancaster*, have used and ought to be.

Lands to be an-
nexed lying out
of the County
Palatine.

VII. And that all other Honours, Castles, Lordships, Manors, Lands, Tenements and Hereditaments, lying and being out of the said County Palatine of *Lancaster*, which shall happen to be united and annexed to the said Duchy by Force of any such Letters Patents, shall be from the *Teste* of the said Letters Patents, within the Order, Survey, Rule, Governance, Jurisdiction, Letting and Setting of the said Duchy of *Lancaster*, as others the Possessions of the said Duchy of *Lancaster*, lying and being out of the said County Palatine of *Lancaster*, have used and ought to be; Saving to all and every Person and Persons, Bodies Politick and Corporate, to their Heirs, Successors and Assigns, and to the Heirs, Successors and Assigns of every of them, all such Right, Title, Interest, Entries, Conditions, Occupations, Possession, Lease and Leases, Fees, Annuities, Offices, Rents, Services, Commons, Profits, Commodities, Easements,

Saving of Rights.

Easements, Actions, Suits, Demands, Thing and Things whatsoever, which they or any of them should, might or ought to have had, into or out of any the Premises, before the Making of this Act, in like and in the same Manner, Form and Condition, to all Intents, Constructions and Purposes, as if this Act had never been had or made; any Thing in this Act to the contrary in any wise notwithstanding.

VIII. Provided always, and be it enacted by the Authority aforesaid, That this Act, or any Thing or Things therein contained, shall not in any wise extend to enable or give any Liberty to our said Sovereign Lord and Lady the King and Queen, nor to the Heirs and Successors of our said Sovereign Lady the Queen, to unite and annex to the said Duchy of *Lancaster*, by their Letters Patents, any Honours, Castles, Lordships, Manors, Lands, Tenements or Hereditaments, being any Part or Parcel of the antient Inheritance of the Crown, or of the Principality of *Wales*, or of the Duchy of *Cornwall*, or of the Earldom of *Chester*, or any their Honours, Castles, Lordships, Manors, Lands, Tenements or Hereditaments, set, lying or being within the Counties of *Chester* and *Flint* or either of them; nor to give, annex or assign to the said Duchy of *Lancaster*, any Honours, Castles, Lordships, Manors, Lands, Tenements or Hereditaments, exceeding and amounting in the Whole above the yearly Value of Two thousand Pounds; any Clause, Article or Thing in this Act rehearsed, contained or specified to the contrary thereof in any wise notwithstanding.

Certain Lands excepted which are not to be annexed to the Duchy of *Lancaster*.

IX. Provided always, and be it enacted by the Authority aforesaid, That the Farms, Rents, Suits and Services of such and as many of the said Manors, Lands, Tenements and Hereditaments mentioned in this Act, belonging to the Duchy of *Lancaster* and County Palatine of *Lancaster* or to either of them, shall be answered and paid in the Court of the Duchy Chamber at *Westminster*, or to the Receivers General and other Ministers of the same Court, in like Manner and Form as heretofore have been used and accustomed; and that all Leases hereafter to be made of any the same Manors, Lands, Tenements or Hereditaments belonging to the said Duchy shall be made under the Seal of the Duchy of *Lancaster*, in like Manner and Form as heretofore have been used; this Act or any Thing therein contained to the contrary thereof in any wise notwithstanding.

Proviso.

[*Sett. 9. is not on the Roll.*]

C A P. XXI.

An Act for the Continuance of certain Statutes. EXP.

C A P. XXII.

An Act for the Confirmation of a Subsidy granted by the Clergy. EXP.

C A P. XXIII.

An Act of a Subsidy granted by the Temporality. EXP.

Anno quarto & quinto PHILIPPI & MARIÆ.
(A.D. 1557.)

STATUTES made in the Parliament begun and holden at Westminster the Twentieth Day of January in the Fourth and Fifth Year of the Reign of the most invincible and excellent Princes PHILIP and MARY, by the Grace of God, King and Queen of England, Spain, France, Iberia, both the Sicilies, Jerusalem and Ireland, Defenders of the Faith; Archdukes of Austria; Dukes of Milan, Burgundy and Brabant; Counts of Hapsburg, Flanders and Tyroll; and there continued and kept until the Dissolution of the same, being the Seventh Day of March then next following: viz.

C A P. I.

EXP.

An Act for the Confirmation of Letters Patents.

C A P. II.

An Act for the having of Horse, Armour and Weapon.

Former Acts
repealed.

Regulation for
keeping Horses,
Armour, &c.

Estates, &c. of
1,000l. a Year.

FOR the better Furniture and Defence of this Realm, be it enacted by the King and Queen's Majesties, with the Assents of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That as much of all and every Act and Statute concerning only the keeping or finding of Horse, Horses or Armour, or of any of them heretofore made or provided, and all and every Forfeiture and Penalty concerning only the same, shall be from henceforth utterly void, repealed, and of none Effect: And be it further enacted by the Authority aforesaid, That every Nobleman, Gentleman and other Temporal Person, after the Rate and Proportion hereafter declared, shall have and keep in Readiness such Horses, Geldings, Armour, and other Furniture for the Wars, at the least, and in such Sort and Manner as is and shall be in this Act hereafter expressed and declared, that is to say, all and every Person Temporal having any Honours, Lordships, Manors, Houses, Lands, Meadows, Pastures or Woods of Estate of Inheritance or Freehold, to the clear Yearly Value of One M. Pounds or above, shall from and after the First Day of May, which shall be in the Year of our Lord God 1558, have, find, keep, sustain and maintain within this Realm of *England*, of their own proper and at their own proper Costs and Expences, Six Horses or Geldings, able for Dimilances, whereof iii. of them at the least to be Horses, with sufficient Harnesses, Steel Saddles, and Weapon requisite and appertaining to the said Dimilances, Horses or Geldings; and x. Light Horses or Geldings able and meet for Light Horsemen, with the Furniture of Harness and Weapon requisite for the same; and also xl. Corselets furnished, xl. Almayne Rivettes, or instead of the said Almayne Rivettes, xl. Coats of Plate, Corselets or Brigandines furnished, xl. Pikes, xxx. Long Bows, xxx. Sheafs of Arrows, xxx.

Steel

Steel Caps or Sculls, xx. Black Bills or Halberts, xx. Haquebuts, and xx. Morians or Salets; and every Person Temporal, having any Honours, Lordships, Manors, Houses, Lands, Meadows, Pastures or Woods of any such Estate as is aforesaid, to the clear Yearly Value of a Thousand Marks or above, and under the clear Yearly Value of a Thousand Pounds, shall have, find, sustain and maintain within this Realm, of their own proper and at their own proper Costs and Expences, iiii. Horses or Geldings able for Dimilances, whereof Two at the least to be Horses, with sufficient Harnesses and Weapon, and Saddles meete and requisite to the said Dimilances, Horses or Geldings, and vi. Light Horses or Geldings able and meete for Light Horsemen, with Furniture of Harness and Weapon requisite for the same; and also of Armour and Weapon, xxx. Corselets furnished, xxx. Almayne Rivettes, or instead of the said Almaine Rivets, xxx. Coats of Plate, Corselets or Brigandines furnished, xxx. Pikes, xx. Long Bows, xx. Sheafs of Arrows, xx. Steel Caps or Sculls, x. Black Bills or Halberds, x. Haquebuts, and x. Morians or Salets; and every Person Temporal having Honours, Lordships, Manors, Houses, Lands, Meadows, Pastures or Woods of any such Estate as is aforesaid, to the clear Yearly Value of iiii. Hundred Pounds or above, and under the clear Yearly Value of a Thousand Marks, shall have, find, keep, sustain and maintain as is aforesaid, Two Horses, or One Horse and One Gelding able for Dimilances, with sufficient Furniture of Harness, Steel Saddles and Weapon for the same, as is aforesaid, and Four Geldings able for Light Horsemen, with sufficient Harness and Weapon for the same, and also xx. Corselets furnished, xx. Almayne Rivettes furnished, or instead of Almayne Rivettes, xx. Coats of Plate, Corselets or Brigandines furnished, xx. Pikes, xv. Long Bows, xv. Sheafs of Arrows, xv. Steel Caps or Sculls, vi. Haquebuts, and vi. Morians or Salets; and that every Person Temporal having Lordships, Manors, Houses, Lands, Meadows, Pastures or Woods of any such Estate as is aforesaid, to the clear Yearly Value of Two hundred Pounds or above, and under the clear Yearly Value of Four Hundred Pounds, shall from the said First Day of *May* have, keep, sustain and maintain One great Horse or Gelding able for a Dimilance, with sufficient Furniture of Harness, and Steel Saddle for the same, and Two Geldings able for Light Horsemen, with Harness and Weapon sufficient, as is aforesaid, for the same, and also Ten Corselets furnished, Ten Almaine Rivets, or in the place of Almayne Rivets, Ten Coats of Plate, Corselets or Brigandines furnished, Ten Pikes, Eight Long Bows, Eight Sheafs of Arrows, Eight Steel Caps or Sculls, Three Haquebuts, and Three Morians or Salets; and every Person Temporal, having any Lordships, Manors, Houses, Lands, Meadows, Pastures, or Woods, of any such Estate as is aforesaid, to the clear Yearly Value of One hundred Pounds or above, and under the Yearly Value of Two hundred Pounds, shall from and after the said First Day of *May* have, keep and maintain as is aforesaid, Two Geldings able and meet for Light Horsemen, with sufficient Harness and Weapon requisite for the same, and also Three Corselets furnished, Three Almaine Rivets, or instead of them, so many Coats of Plate, Corselets or Brigandines furnished, Three Pikes, Three Long Bows, Three Sheafs of Arrows, Three Steel Caps or Sculls, Two Haquebuts, and Two Morians or Salets; and

1,000 Marks
a Year.400l. a Year,
and under 1,000
Marks.200l. and under
400l. a Year.100l. and under
200l. a Year.

100 Marks, and
under 100l. a
Year.

40l. and under
100 Marks a
Year.

20l. and under
40l. a Year.

20l. and under
20l. a Year.

5l. and under
20l. a Year.

Persons, &c.
of 1,000 Marks.

and also every Person Temporal having Lordships, Manors, Houses, Lands, Meadows, Pastures or Woods of any such Estate as is aforesaid, to the clear Yearly Value of a Hundred Marks or above, and under the Yearly Value of a Hundred Pounds, from the said First Day of *May*, shall have, keep, maintain and sustain One Gelding able and meet for a Light Horseman, with the Harness and Weapon sufficient and requisite for the same, Two Corselets furnished, Two Almayne Rivets, or instead of the same, Two Coats of Plate or Brigandines furnished, Two Pikes, Two Long Bows, Two Sheafs of Arrows, Two Steel Caps or Sculls, One Haquebut, One Morian or Salet; and also every Person Temporal having Lordships, Manors, Houses, Lands, Meadows, Pastures or Woods of such Estate as is aforesaid, to the clear Yearly Value of Forty Pounds or above, and under the Yearly Value of a Hundred Marks, shall from and after the said First Day of *May* have, maintain and keep Two Corselets furnished, Two Almayne Rivets, or instead of the same Two Coats of Plate, Corselets or Brigandines furnished, Two Pikes, One Long Bow, One Sheaf of Arrows, One Steel Cap or Scull, Two Haquebuts, Two Morians or Salets; and also every Person Temporal having Lordships, Manors, Houses, Lands, Meadows, Pastures or Woods of any such Estate as is aforesaid, to the clear Yearly Value of Twenty Pounds or above, and under the Yearly Value of Forty Pounds, shall from the said First Day of *May* have, keep and maintain one Corselet furnished, One Pike, One Haquebut, One Morian or Salet, One Long Bow, One Sheaf of Arrows, and One Steel Cap or Scull; and also every Person Temporal having Lordships, Manors, Houses, Lands, Meadows, Pastures or Woods of any such Estate as is aforesaid, to the clear Yearly Value of x. Pounds or above, and under the Yearly Value of xx. Pounds, shall from and after the said Day have, keep and sustain One Almayne Rivet, Coat of Plate or Brigandine furnished, One Haquebut, One Morian or Salet, One Long Bow, and One Sheaf of Arrows, One Steel Cap or Scull; and also every Person Temporal having Lordships, Manors, Houses, Lands, Meadows, Pastures or Woods of such Estate as is aforesaid, to the clear Yearly Value of Five Pounds or above, and under the Yearly Value of x. Pounds, shall from and after the said First Day of *May* have, keep and sustain One Coat of Plate furnished, One Black Bil or Halbert, One Long Bow, One Sheaf of Arrows, and One Steel Cap or Scull; and also every Person Temporal having Goods or Chattels to the Value of One thousand Marks or above, shall from the said First Day of *May* have, find, keep, sustain and maintain as is aforesaid, One Horse or Gelding able for a Demilance, with sufficient Harness, Steel Saddle, and Weapon requisite and convenient for the same, and One Gelding able and meet for a Light Horseman, with Harness and Weapon sufficient and requisite as is aforesaid for the same, or Eighteen Corselets furnished instead of the said Horse and Gelding, and Furniture of the same, at his Choice; and also shall from the same Day have, find, keep and maintain of Armour and Weapon, Two Corselets furnished, Two Almayne Rivets, or for the same Almayne Rivets, Two Coats of Plate, Two Corselets, or Two Brigandines furnished, Two Pikes, Four long Bows, Four Sheafs of Arrows, Four Steel Caps or Sculls, and Three Haquebuts, with Three Morians or Salets; and also every Person Temporal having Goods and Chattels to the Values
hereafter

hereafter in this present Act specified and declared, shall from and after the said First Day of *May* have, find, keep, sustain and maintain such Geldings, Armour, Weapon and Furniture for War as is hereafter declared, that is to say, having to the Value of Four Hundred Pounds or above, and under the Value of a Thousand Marks, One Gelding able and meet for a Light Horseman, with sufficient Harness and Weapon requisite and meet for the same, or Nine Corsets furnished at his Election, and also shall have, find and keep One other Corset furnished, One Pike, Two Almayne Rivets, or Plate Coats, or Brigandines furnished, One Haquebut, Two Long Bows, Two Sheafs of Arrows, and Two Steel Caps or Sculls; and having in Goods and Chattels to the Value of Two Hundred Pounds or above, and under Four Hundred, One Corselet furnished, One Pike, Two Almayne Rivets, Plate Coats or Brigandines furnished, One Haquebut, One Morian or Salet, Two Long Bows, and Two Sheafs of Arrows, and Two Sculls or Steel Caps; and having in Goods and Chattels to the Value of a Hundred Pounds or above, and under Two Hundred, One Corselet furnished, and One Pike, One Pair of Almayne Rivets, One Plate Coat, or Pair of Brigandines furnished, Two Long Bows, and Two Sheafs of Arrows, and Two Sculls; and having as is aforesaid in Goods and Chattels to the Value of xl. Pounds or above, and under a Hundred Pounds, Two Pair of Almayne Rivets, or Two Coats of Plate or Brigandines furnished, One Long Bow, and One Sheaf of Arrows, One Steel Cap or Scull, and One Black Bill or Halbert; and having, as is aforesaid, in Goods and Chattels to the Value of xx. Pounds or above, and under xl. Pounds, One Pair of Almayne Rivets, or One Coat of Plate, or One Pair of Brigandines, Two Long Bows, Two Sheafs of Arrows, Two Sculls or Steel Caps, and One Black Bill or Halbert; and having as is aforesaid, to the Value of Ten Pounds or above, and under Twenty Pounds, One Long Bow, One Sheaf of Arrows, with One Steel Cap or Scull, and One Black Bill or Halbert; and also that every Person Temporal, not being above charged by this Act, having or that hereafter shall have any Annuity or Annuities. or Yearly Fee or Fees for Term of Life, or of any Estate of Inheritance, or any Copyhold or Copyholds for Term of Life, or of any Estate of Inheritance to the clear Yearly Value of xxx. Pounds or above, shall be charged and chargeable with such Furniture of War as is aforesaid, in every Degree, Quality and Condition according to the Proportions and Rates before expressed, limited and appointed for Goods and Chattels.

II. And be it further enacted by the Authority aforesaid, That every Person which by virtue of the Act made in the Parliament holden at *Westminster* in the xxxiii. Year of the Reign of King *Henry* the Eighth, was bound (by Reason that his Wife should wear such Kind of Apparel or other Thing as in the same Statute is specially mentioned and declared) to keep or find One great stoned Trotting Horse, and is not by this Act before charged, to have, maintain and keep any Horse or Gelding, shall from the said First Day of *May* have, keep and maintain One Gelding able and meet for a Light Horseman with sufficient Harness and Weapon for the same, in such Manner and Form as every Temporal Person having Lordships, Houses, Lands, Meadows, Pastures or Woods

400l. and under
1,000 Marks.200l. and under
400l.100l. and under
200l.40l. and under
100l.20l. and under
40l.10l. and under
20l.

Annuities, &c.

Persons bound
by 3; H. 8.
c. 5.

Woods of such Estate as is aforesaid, of the clear Yearly Value of One Hundred Marks, is charged or appointed to find, have and maintain by this present Act.

Omitting to
provide Horses,
&c.

Penalty.

III. And be it further enacted by the Authority aforesaid, That if any Person chargeable by this Act as is aforesaid, shall by the Space of any Three whole Months after the said First Day of *May*, lack or want the said Number and Kinds of Horses, Geldings, Armour, Weapon and Furniture aforesaid, or any of them, after such Rate, Proportion, Manner and Form as is in this Act above limited, declared and appointed, that then every such Person shall forfeit and lose for every such Three Months that he shall so lack and want the same Number and Kind of Horses, Geldings, Armour, Weapon and Furniture, or any Part thereof, for every Horse or Gelding so lacking Ten Pounds, and for every Dimulance and Furniture of the same Three Pounds, and for every Corselet and Furniture of the same xl. s. and for every Almayne Rivet, Coat of Plate or Brigandine and the Furniture of the same, xx. s., and for every Bow and Sheaf of Arrows, Bill, Halbert, Haquebut, Steel Cap, Scull, Morian and Salet, x. s. the One Moiety of which said Forfeitures shall be to the King and Queen our Sovereign Lord and Lady, and to the Heirs and Successors of the same our Sovereign Lady, and the other Moiety to him or them that will sue for the same in any Court of Record by Bill, Plaint, Action of Debt or Information, in the which Bill, Plaint, Action or Information no Wager of Law, Essoin or Protection shall be allowed or admitted.

Inhabitants of
Cities, &c not
before charged.

IV. And be it further enacted by the Authority aforesaid, That the Inhabitants of every City, Borough, Town, Parish and Hamlet within this Realm other than such as are specially charged before in this Act, shall have, find, keep, sustain and maintain at their common Charges and Expences such Harness and Weapon and as much thereof as shall be appointed by the Commissioners of our said Sovereign Lord and Lady, and of the Heirs and Successors of the same our Sovereign Lady, for the Musters or View of Armour within such City, Borough, Town, Parish or Hamlet, there to be kept in such Place as by the said Commissioners shall be appointed; and the Numbers and Kinds thereof to be written and comprised in a Pair of Indentures to be made between the said Commissioners, or Two of them at the least, and Twelve, Eight or Four of the chiefest of every such City, Borough, Town, Parish or Hamlet, whereof One Part to remain with the Chief Officer of the same City, Borough, Town, Parish or Hamlet, and the other Part to remain with the Clerk of the Peace of the Shire or County where every such City, Town, Borough, Parish or Hamlet shall stand or be; and if the same Inhabitants of every such City, Borough, Town, Parish or Hamlet, other than such as are specially (as is aforesaid) charged, shall lack or want such Harness or Weapons, or any Part thereof as shall be unto them appointed by the said Commissioners for the Musters and View of Armour as is aforesaid, by the Space of any Three Months together next after any such Appointment made, that then the same Inhabitants shall forfeit for every the said Three Months for every such Harness or Weapons so lacking, after the Rate above limited, the One Moiety thereof to be to our said Sovereign Lord and Lady, and to the Heirs

Penalty.

Heirs and Successors of our said Sovereign Lady, and the other Moiety to him or them that will sue for the same in any of the Courts of Record of our said Sovereign Lord and Lady, and of the Heirs and Successors of the same our Sovereign Lady, by Bill, Plaint, Action of Debt or Information, wherein no Wager of Law, Essoin, or Protection shall be admitted or allowed.

V. And be it further enacted by the Authority aforesaid, That the Lord Chancellor of *England* for the Time being, shall have full Power and Authority by virtue of this present Act, from Time to Time to grant out Commissions under the Great Seal of *England* to the Justices of Peace within every Shire or County of this Realm, or to so many of them as by his Discretion shall be thought meet and convenient for the appointing and limiting of the said Harnesses and Weapons to be found, kept and maintained in every such City, Borough, Town, Parish and Hamlet at the common Charges of the Inhabitants thereof as is aforesaid.

Commissioners
under Great
Seal.

VI. Provided always, That this Act or any Thing therein contained shall not extend to take away or discharge any Tenant or Farmer of his Service or Covenant towards his Lord for the finding of Horse, Armour or Weapon, or for doing of Service by himself or any other, which by the Tenure of his Land or Farm he is bound to do at the Time of making of this Act, but that he shall yield, pay and do the same in as large ample Manner and Form as this Act had never been had or made.

Proviso.

VII. And be it further enacted by the Authority aforesaid, That the Justices of Peace of every Shire shall have Power and Authority by virtue of this Act from Time to Time to make Search and View of and for the said Furnitures of Horses, Geldings, Armour and Weapon to be found, maintained and kept by any Person aforesaid, having Lordships, Manors, Houses, Lands, Meadows, Pastures or Woods to the clear Yearly Value of CC. Pounds or under and not above the Yearly Value of CCCC. Pounds, or to be found, maintained or kept by any Person or Persons chargeable by this Act by Reason of his or their Goods, Chattels, Annuities, Fees or Copyholds as is aforesaid, and to hear and determine at their Quarter-Sessions all and every the Defaults committed or done contrary to this Act within the County where such Sessions shall be kept, by Inquisition, Presentment, Bill or Information before them exhibited, or by examination of Two lawful Witnesses at the Discretion of the same Justices, and to award Process thereupon as though they were indicted before them by Verdict of xii. Men or more; and upon the Conviction of the Offender by Information or Suit of any other than the King or the Queen, or of the Heirs or Successors of the Queen to make Estreats of the One Moiety of the said Forfeitures to be levied to the Use of our said Sovereign Lord and Lady or of the Heirs or Successors of the same our Sovereign Lady, as they use to do of other Fines, Issues and Amerciaments growing in the Sessions of Peace, and to award Execution of the other Moiety for the Complainant or Informer against the Offender by *feri facias* or *capias* as the King's Justices at *Westminster* may do and use to do; and if any such Conviction shall hereafter happen at the only Suit of our said Sovereign Lord and Lady or of the Heirs or Successors of the same our Sovereign Lady, that then the whole Forfeitures to be estreated and levied to their Uses only.

Justices of Peace
may enquire of
Armour, &c.

Proceedings
thereon.

Penalties.

Offenders not
to be twice
troubled.

VIII. And be it further enacted by the Authority aforesaid, That whensoever any Person shall at any Time hereafter be convicted by virtue of this Act for any Default or Thing mentioned in this Act, that then the same Person shall not otherwise or oftfoons be vexed, troubled, sued or convicted for the same Default or Thing wherefore he shall be so convicted.

Soldier offend-
ing.

IX. And be it moreover enacted by the Authority aforesaid, That if any Soldier shall at any Time hereafter make Sale of his Horse, Harness and Weapon, or any of them, contrary to the Form of the said Statute made in the said Second and Third Years of the said late King; that then not only the same Soldier shall incur the Penalties of that Statute, but also the said Sale made by such Soldier to any Person or Persons, knowing him to be a Soldier, shall be void and of none Effect, against him or them that found or set forth the said Horse, Harness and Weapon, or any of them, to or for the Furniture of such Soldier, to serve with the same.

Penalty.

Proviso.

X. Provided always, That no Person shall be impeached or troubled for any Offence done contrary to this Act unless Presentment or Suit thereof be had, made or taken within One Year next after the Offence done, any Thing in this Act to the contrary thereof in any wise notwithstanding.

Proviso for Plea
of Inability.

XI. Provided alway, and be it enacted by the Authority aforesaid, That if at any Time hereafter it shall fortune any Person or Persons aforesaid to be sued or impeached for any Forfeiture or Penalty for not having, sustaining or keeping such Furniture of Corselets, Pikes, Haquebuts or Morians as by this Act is before limited, rated and appointed, and for his or their Excuse and Answer, shall allege and plead that the same Furniture so lacking could not by him or them conveniently be had, gotten or provided for Want and Lack of the same within this Realm according to the Tenor and Purport of this Act, the same Matter of Want and Lack as is aforesaid shall be allowed and taken for a good and sufficient Answer and Bar in the Law in case it be true; and if the same be denied or traversed, that thereupon an Issue shall be joined, and that the Trial shall be of every such Issue only had by the Certificate to be made by the Lord Chancellor, Lord Treasurer, the Lord President of the Council, the Lord Steward of the King's and Queen's most honourable Household, the Lord Privy Seal, the Lord Admiral and the Lord Chamberlain of the said Household, or by Three of them, in Writing under their Seals or the Seals of Three of them, this present Act or any Estatute, Law or Usage heretofore had to the contrary notwithstanding.

Proviso.

XII. Provided also, and be it enacted by the Authority aforesaid, That no Person or Persons chargeable by virtue of this Act, to or for the finding or having of any Horse, Gelding, Armour, Weapon or Furniture for the War as is aforesaid, shall be charged with the same or with any of them, both for his Manors, Houses, Lands, Meadows, Pastures and Woods, and also for his Goods, Chattels, Farms, Leases, Annuities.

Proviso for
33 H. 8. c. 6.

XIII. Provided also, and be it further enacted by the Authority aforesaid, That this Act or any Thing therein contained shall not in any wise extend or be adjudged or interpreted to abrogate, repeal or make void any Part, Sentence, Matter, Clause, Article or Thing contained or specified in the Estatute made in the xxxiii. Year of the Reign of the late noble Prince of worthy Memory

King *Henry* the Eighth, for or concerning the having of Long Bows and Arrows, and the using, order, exercising and maintenance of Archery, and shooting in Long Bows, but that the same Statute and every Article, Clause, Sentence and Thing therein contained and specified touching or in any wise concerning the having of Long Bows, Arrows, using, order, exercising or maintenance of Archery and shooting in Long Bows, shall stand and remain in force and be observed, performed and kept according to the Tenor, Effect and true Meaning of the said Act, upon the Pains contained in the same as this Act had not been had ne made, this present Act or any Thing therein contained to the contrary in any wise notwithstanding.

XIV. Provided also, That if it shall fortune the said Furniture of Armour aforesaid or any Part thereof, at any Time hereafter to be lost or spent in any Service of Defence of this Realm, or else the Horses or Geldings aforesaid, to be killed or destroyed, or else by some other Occasion to be dead, that in such Case or Cases no Person or Persons shall be charged with any Forfeiture or Penalty aforesaid for not having such Quantity or Number of Armour, Horses or Geldings as is aforesaid, so that he or they within One Year next after such Loss or Want do supply the same again in all Points according to the true Meaning and Purport of this Act, any Thing in the same Act to the contrary thereof notwithstanding.

Proviso for Armour, &c. lost, &c.

XV. Provided also, That the Want of any Gauntlet or Gauntlets shall not be deemed, accounted or taken for any Lack or Want of Furniture for a Corselet, any Words before expressed sounding to the contrary, notwithstanding.

Proviso.

XVI. Provided also, and be it enacted by the Authority aforesaid, That every Person and Persons charged with the finding of any Haquebut, and his or their Servant or Servants shall and may exercise and use shooting in the same Haquebut at such Marks as is limited and appointed by the Statute made in the xxxiii. Year of the Reign of King *Henry* the Eighth, or at their own proper Games, so that they carry not or use not the same Haquebut in any Highway unless it be coming or going to or from the Musters, or marching towards or from the Service of Defence of the Realm, any Clause or Article in the said Act of the xxxiii. Year to the contrary notwithstanding.

Proviso for Haquebuts.

XVII. Provided always, That this Act ne any Thing therein contained shall extend to charge any Person or Persons dwelling or abiding within the Countries of *North Wales* and *South Wales*, and within the County Palatine of *Lancaster* and *Chester* or either of them, with the finding or having of any Haquebut, but that they and every of them shall and may at their Will, Liberty and Pleasure have and keep instead and place of every Haquebut charged by this Act, One Long Bow and One Sheaf of Arrows, over and beside such other Armour and Munition as is by the Laws of this Realm limited and appointed, any Thing in this Act to the contrary notwithstanding.

Proviso for Wales, &c.

XVIII. Provided always, That the Lord Chancellor of *England* or Keeper of the Great Seal for the Time being shall and may from Time to Time by virtue of the King and Queen's Highness Commission, name, assign and appoint Commissioners in every City, Borough and Town Corporate wherein there be Justices of the

Commissioners for viewing Armour, &c.

Peace,

Peace, as well in *England* as in *Wales*, so many of the same Justices of Peace with such and as many other Persons to be joined with them, dwelling out of the said Cities, Boroughs and Towns Corporate as he or they shall think meet, to take View of Armour in every of the same Cities, Boroughs and Towns Corporate according to this present Act, and also to assign what Harnefs and Armour shall be provided and kept by the Inhabitants of every such City, Borough and Town Corporate as is aforesaid according to this present Act.

[Repealed 1 Jac. I. c. 25. §47.]

C A P. III.

An Act for the taking of Musters.

‘ **W**HERE heretofore Commandment hath been given by the King and Queen’s Majesties, and other the Progenitors of the Queen’s Majesty, Kings of this Realm, to divers and fundry Persons, to muster their Majesties People and Subjects of their Realm of *England*, and to levy a Number of them for the Service of their Majesties, and of this Realm, in their Wars, such as were most able and likeliest to serve well in the same: Which Service hath been greatly hindered, as well for that a great Number hath absented them from the said Musters, which ought to have come to the same, as also for that many of the most able and likely Men for that Service have, been through Friendship or Rewards releafed, forborn and discharged of the said Service; and some other not being able or meet, taken, appointed and chosen thereunto, and yet the same Disability and Unaptness notwithstanding, the same unable and unmeet Persons, upon Sums of Money, or other Kind of Rewards or Exactions by them paid to some such as had the Order of the said Musters, have been also releafed and discharged of the said Service, to the great Impoverishment of the Subjects, and chiefly to the great Peril and Danger of this noble Realm, in the Hindrance of the true and necessary Service thereof:’

II. For Remedy whereof, be it enacted by the King and Queen our Sovereign Lord and Lady, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons, that shall be commanded at any Time hereafter generally or specially to muster afore any such as shall have any Authority or Commandment for the same, by or from the King and Queen’s Majesties, or by the Heirs or Successors of the Queen’s Majesty, or by any Lieutenant, Warden, or other Person or Persons authorized for the same, do willingly absent him or themselves from the same Musters, having no true and reasonable Excuse of Sickness or other lawful Impediment; or at their Appearance at such Musters do not bring with them such their best Furniture or Array and Armor, as he or they shall then have for his or their own Person in Readiness; shall, for every such Default and Offence, have and suffer Imprisonment by the Space of ten Days, without Bail or Mainprise, by the Commandment of such as shall have Authority, as is aforesaid, to take the same Musters; unless he or they, so offending, as is aforesaid, do agree to or with the said Commissioners or Two of them, to pay to the Use of the King and Queen

Persons absented
from Muster.

Imprisonment.

Queen our Sovereign Lord and Lady, or of the Heirs or Successors of the same our Sovereign Lady, for every such Offence, Forty Shillings for a Fine; which said Fine, after Agreement for the Payment of the same, as is aforesaid, shall be certified and estreated into the Court of the Exchequer at *Westminster*, by such as shall have Power to take the said Musters, as is aforesaid, or by Two of them, under their Seals, or the Seals of Two of them, within the Space of Two Months next after such Agreement to pay the said Fine had or made, and the same Fine so estreated, to be levied in such Form as Fines assessed by the Justices of Assize, or of Gaol-delivery in their Circuits are used to be levied.

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons, which at any Time or Times hereafter shall be commanded or appointed by the King and Queen our Sovereign Lord and Lady, or by the Heirs and Successors of the same our Sovereign Lady, by their Commission, Letters or otherwise authorized to levy muster, or make any Men to serve in their Wars, or otherwise for the Defence of this Realm, do by any Mean exact, levy, receive or take, or cause to be taken, any Sum or Sums of Money, or other Reward or Thing whatsoever, of any Person or Persons, for Service in the Wars, or that shall be appointed, named or mustered to serve in any such Service, or for the Sparing, Releasing or Discharging of such Person or Persons from the said Service, that then every such Person that so shall offend in Exactting, Receiving or Taking by any Ways or Means, any Sum or Sums of Money, or other Reward or Thing whatsoever, as is aforesaid, shall for such Offence forfeit ten Times so much as he shall so receive, exact or take.

Muster-masters taking Reward to discharge them.

Penalty.

IV. And be it further enacted by the Authority aforesaid, That if any Captain, Petty Captain or other, having Charge of Men for Service in War, shall for any Advantage, Lucre or Gain by him to be taken or received, discharge or licence any of the Soldiers, or Men appointed to serve in the Wars under his Rule or Order, to depart from the same Service, or shall not pay unto his Soldiers, and to every of them, their full and whole Wages, Conduct and Coat Money, within ten Days next after that such Captain, Petty Captain, or other having Charge of Men, as is aforesaid, shall have received the same; that then the Party so offending in giving any such Licence or Discharge, as is aforesaid, shall lose and forfeit for every such Offence ten Times the Value of the Thing so taken or received, and shall also pay to every Soldier from whom he shall so withhold any of the said Wages, Conduct or Coat Money, treble the Sum so withholden; the one Moiety of all which Forfeitures, other than such as before by this Act is limited or given to the Soldier or Soldiers, as is aforesaid, for their Wages, Coat or Conduct Money withdrawn, shall be to the King and the Queen's Majesties, and the Heirs and Successors of the Queen's Majesty, and other the Moiety, thereof to him or them that will sue for the same by Action of Debt, Bill, Plaint, Information or otherwise, in any Court of Record; in which Action or Suit, no Essoin, Protection or Wager of Law shall be allowed.

A Captain licensing his Soldiers to depart or not paying their Wages.

Penalty.

V. And be it further enacted by the Authority aforesaid, That all Justices of Assizes in their Circuits, and all Justices of Peace within the Limits of their Commission in their Assizes and Sessions,

Who may determine Offences.

and Stewards of Leets, Law-days and Liberties, at their Leets and Law-days, shall and may from Time to Time enquire, hear and determine every of the said Offences committed or done contrary to this Act, within the Precincts of their Commission, Leet or Liberty: And if any Person or Persons shall be, before the said Justices of Assise, Justices of Peace, or any of them, presented or indicted of any the Offences aforesaid, that then the said Justices of Assises, or Justices of Peace before whom such Indictment or Presentment shall be taken or had, shall and may by the Authority of this Act award such Process against every such Person or Persons so indicted, as upon Indictments of Trespass is used and accustomed to be made: And if any such Person or Persons so indicted do appear before the said Justices, and confess the same, or plead to the same Indictments, and after, by Verdict of twelve Men, shall be of any the said Offences contained in such Indictment or Indictments convicted, that then the said Justices before whom any such Conviction shall be so had, shall and may award such Person or Persons so convicted unto Prison, there to remain without Bail or Mainprize, until such Time as he or they have paid or satisfied the Moiety of the Forfeiture aforesaid, unto the King and Queen's Majesties Use, and the other Moiety thereof unto him or them that shall come before the said Justices, and give Evidence against the Party to be convicted at the Time of the said Conviction, and by whose Evidence he shall be of the said Offence convicted: And if any such Conviction shall be had without any Evidence openly given by any Person or Persons, that then the Party convicted, as aforesaid, shall remain in Prison, as is aforesaid, until he have satisfied the whole Forfeiture to the King and Queen's Majesties Use.

Imprisonment.

Evidence.

Offences committed during the Time of Service.

VI. Provided always, and be it further enacted by the Authority aforesaid, That if any the Offences aforesaid touching Captains, Petty Captains or other having Charge of Men, shall be committed during the Time that any Army or Number of Men being under a Lieutenant, shall be assembled and continue together, or by any Captain, Petty Captain or other having Charge of Men, that shall serve under any Lord-Warden or other Chieftain, that then upon Complaint thereof the Lord Lieutenant, or the Lord-Warden or other Chieftain, during the Time of any his or their Commission, shall and may hear, order and determine the same Offences, by his or their Discretions.

Service in Respect of Tenure of Land.

VII. Provided always, That this Act, nor any Thing therein contained, shall not in any wise extend to take away or discharge any Tenant or Fermor of his Service or Covenant toward his Lord, for the Finding of Horse, Armour or Weapon, or for doing of Service by himself, or by any other, which by Tenure of his Land otherwise is bounden to do before the Making of this Act; but that he shall yield, do and pay the same in as ample Manner and Form as though this Act had never been had or made.

He that is once convicted shall not be again troubled.

VIII. Provided also, and be it further enacted by the Authority aforesaid, That if any such Captain, Petty Captain or other, having Charge of Men, as is aforesaid, shall be at any Time hereafter convicted, or ordered by Virtue of this Act, for any of his Offences aforesaid, that then the same Captain, Petty Captain or other, having Charge of Men, as is aforesaid, so convicted, shall not otherwise

otherwise or elusions be vexed, troubled, convicted or sued, for the same Offence, whereof he shall be so before convicted or ordered.

IX. And where one Branch or Article contained in the Statute made in the Second and Third Year of the Reign of the late King *Edward* the Sixth, intituled, *An Act touching the true Service of Captains and Soldiers*, whereby the Departure of any Soldier, serving as in the said Act is expressed, without Licence of the Lieutenant or other Officer or Officers named in the said Act, or in their Absence, of their Deputies, was made Felony, is of no Force, Strength ne Effect, at this present, by Reason of the Act of Repeal of certain Treasons, Felonies and *Premunire*, made in the first Sessions of the Parliament holden at *Westminster* in the first Year of the Queen's Majesty's Reign: Be it for good and reasonable Considerations enacted and established by the Authority of this present Parliament, That the said Branch or Article, and every Sentence and Matter therein contained, be from henceforth wholly revived and recontinued, and be and remain in full Strength and Effect, to all Intents, Constructions and Purposes, the said Act of Repeal notwithstanding: And that all and every other Article, Clause, Proviso and Matter contained in the same Act, shall stand, remain and be in their full Force, Effect and Strength; any Thing in this Act contained to the contrary notwithstanding.

2 & 3 E. 6. c. 2. § 6.

1 M. Sess. 1. c. 1.

X. And yet nevertheless where in the said Act it is provided, That no Person or Persons should be charged for the Taking or Receiving of any Gift or Reward of any of his or their Tenants or Friends towards the Relief, Aid or Help of the same Persons being commanded to serve in Wars, or otherwise to find Men on Horseback or on Foot, within this Realm or without; nor for the Gift, Reward, Aid or Help reserved, or covenanted to be paid or given to any Person appointed to serve in Wars, or to find Horse or Men to serve, by Reason of any Grant, Covenant, Reservation, Custom or Tenure; any Thing in the said Act to the contrary notwithstanding, as by the said Act and Proviso more plainly it doth and may appear: Be it enacted by the Authority of this present Parliament, That no Person or Persons shall or may by Colour of the said Proviso, or of any Words or Matter therein contained, exact or demand, or levy any Sum or Sums of Money, Horse, Armour or any other Thing, other than shall be employed forthwith in the present Service of those Wars, of the King and Queen's Majesties, her Heirs or Successors, for which it is levied; the which Sum or Sums of Money, Horse, Armour or other Thing, or as much thereof as shall not be spent, lost or consumed in the said Service, shall be rendered and restored to such Person or Persons as payed or delivered the same, upon the Penalties and Forfeitures contained in the said Act.

2 & 3 E. 6. c. 2. § 17.

What Relief of Friends or Tenants may be taken toward Service in War.

XI. Provided always, That no Person or Persons inhabiting within any City, Borough or Town Corporate, being a County of itself, or in which any Justices of Peace be or hereafter shall be by Charter, shall be compellable by virtue of this Act to make his or their Appearance with such Furniture as is aforesaid, at any Muster hereafter to be had or taken out of the Suburbs, Precinct or Liberties of the same City, Borough or Town, nor before any Person or Persons authorized by Commission or otherwise, as is

Inhabitants in Cities, &c. shall be mustered only within the same.

aforesaid, unless the Mayor, or other head Officer of such City, Borough or Town; and One other discreet Inhabitant of the same at the least, be joined in the same Commission or other Authority, as is aforesaid, with the same Person or Persons so authorised; any Thing before mentioned to the contrary notwithstanding.

[*This Statute repealed by the general Words of 26 G. 3. c. 107.; but that Statute is repealed, and other Regulations made, 42 G. 3. c. 90.*]

C A P. IV.

An Act that Accessaries in Murder and divers Felonies shall not have the Benefit of Clergy.

Accessaries in
Petty Treason,
Felony, Murder,
&c. shall not
have their Clergy.

FOR the due Punishment of such as command, counsel or hire any Person or Persons to commit, perpetrate or do any Petty Treason, wilful Murder, or any of the Offences in this present Act mentioned: Be it enacted by the Authority of this present Parliament, That all and every Person and Persons, that after the First Day of *March* next coming shall maliciously command, hire or counsel any Person or Persons to commit or do any Petty Treason, wilful Murder, or to do any Robbery in any Dwelling-house or Houses, or to commit or do any Robbery in or near any Highway in the Realm of *England*, or in any other the Queen's Dominions, or to commit or do any Robbery in any Place within the Marches of *England* against *Scotland*, or wilfully to burn any Dwelling-house or any Part thereof, or any Barn then having Corn or Grain in the same; that then every such Offender or Offenders, and every of them, being outlawed thereof, or being thereof arraigned and found guilty by the Order of the Law, or being otherwise lawfully attainted or convicted of the same Offence; or being arraigned thereof do stand mute (*a*) of Malice or froward Mind, or do challenge peremptory above the Number of Twenty Persons, or will not answer directly to such Offence, shall not have the Benefit of his or their Clergy. (*a*) [*As to standing mute, 12 G. 3. c. 20.*]

Trial of a Lord
by his Peers.

II. Provided always, and be it enacted, That every Lord and Lords of the Parliament, and Peer and Peers of the Realm, having Place and Voice in the Parliament, upon every Indictment for any of the Offences aforesaid, shall be tried by their Peers, as hath been accustomed by the Laws of this Realm.

C A P. V.

An Act touching the making of Woollen Clothes.

5 & 6 E. 6. c. 6.

WHERE in the Parliament holden at *Westminster* in the Fifth and Sixth Year of the Reign of our late Sovereign Lord King *Edward* the Sixth, there was, by great Deliberation and Advice, One good Act made for the true and perfect making of Woollen Cloth within this Realm; sithence the making whereof, divers Clothiers found themselves aggrieved, alledging, That it is impossible for them to observe the same Act in all Points, and have in this present Parliament prayed some Mitigation thereof: It is therefore at their special Instance and Request ordered, established, enacted, &c. [*Repealed, 49 G. 3. c. 109. § 1.*]

C A P. VI.

An Act to enquire of the Behaviour of *Frenchmen*, being
Denizens. EXP.

IN their most humble wise, shewen unto your most royal Ma-
jesty, the Lords Spiritual and Temporal, and all other your
most loving and obedient Subjects, the Commons in your most
high Court of Parliament assembled, that where at a Parliament
holden at *Westminster*, the xij. Year of the Reign of King
Richard the Second, it was for sundry good Considerations
ordained and enacted, that no alien *Frenchmen* should have or
enjoy any Benefice within this Realm, but that they should be
avoided forthwith out of the same, before a certain Time in
the said Act limited, as in the same Act is more plainly con-
tained. And that at what Hour any Priors Aliens, Conventual
or other Benefice or Office, given by Title of the King, did
void by Laches, or Death of the said Prior, and other Occupiers,
that then (during the Wars) honest Persons *English* should be
put therein, in the Place of them, to accomplish Divine Service,
and none of the Enemies aforesaid. And yet notwithstanding
the said Ordinance, the said Aliens *Frenchmen*, by evil Imagina-
tion and Brocage, to continue the evil Mischiefs of the said
Ordinance, did purchase Letters Patents of the King to be
Denizens, and Lieges to the King, and so swear to continue
the same, to the Intent to occupy and enjoy the said Benefices,
and by that Means did occupy great Number of Benefices,
against the said Ordinance, by Means whereof, the Aliens *French*
were increased, to the diminishing of the Subjects of the King,
and the Treasure of the King and the Realm, did carry out of
this Realm, and the Counsel of the King did discover to the
Enemies of *France*, to the great Damage of the King and the
Realm. For Remedy whereof, at a Parliament holden at *West-*
minster, the First Year of the Reign of the most worthy Prince
of famous Memory, King *Henry* the Fifth, the same King con-
sidering the Mischiefs aforesaid, by the Authority of the same
Parliament, willed that the said Ordinance should be safely
holden and kept, and put in due Execution (certain Prior Aliens
excepted), and that they should put in Surety not to discover nor
cause to be discovered, the Counsel nor the Secrets of the Realm.
And where sithence the making of the said Acts of Parliament,
sundry other good Laws and Acts have been made, as well in
the Time of King *Richard* the Third, as in the Time of King
Henry the Eighth, in which Acts it is provided, limited, ordained
and declared, under what Sort the said Aliens, and every of
them, should use themselves within this Realm.

13 R. 2. nu. 19.

1 H. 5. c. 7.

1 R. 3. c. 9.

15 H. 8. c. 2.

II. And where also by One Act of Parliament made at
Westminster, in the Two and thirty Year of the Reign of the
said late King *Henry* the Eighth, it was enacted, amongst other
Things contained in the said Act, that all Manner of Strangers
borne out of his Grace's Obeisance, which before that Time
were made Denizens, or that after that should be made Denizens,
from and after the First Day of *September* then next coming,
should be bounden and be obedient by and unto all the foresaid
Acts and Statutes, made in the First Year of the said King
Richard the Third, and in the Fourteenth and One and twentieth

32 H. 8. c. 16. § 7.

‘ Years of the said King *Henry* the Eighth, and to all the Contents
 ‘ of the same, and to all other Acts and Statutes of this Realm
 ‘ before that Time made, or from henceforth to be made. And
 ‘ that also in all and every Letters Patents, of or for any Denizen,
 ‘ from and after the last Day of the same Parliament, so holden
 ‘ in the said Two and thirtieth Year, to be made to any Strangers,
 ‘ not being born under the King’s Obeisance, there should be
 ‘ contained in every such Letters Patents, a Proviso that he or
 ‘ they to whom such Letters Patents shall be so made and granted,
 ‘ should be bounden and be obedient by and unto all the Acts
 ‘ and Statutes of this Realm, as is afore said, and to all and every
 ‘ the Contents of the same, as by the same Acts more plainly it
 ‘ doth and may appear.

Grievance.

‘ III. Yet sithence the making of the said several Acts, a great
 ‘ Number and Multitude of the *French* Nation have arrived into
 ‘ this Realm, as well near to the Sea Side as elsewhere, and under
 ‘ a feigned, false and untrue Promise or Oath of Allegiance and
 ‘ Faith, promised to be by them borne to this Realm, they have of
 ‘ late Years, sithence the said Two and thirtieth Year of the Reign
 ‘ of the said late King *Henry* the Eighth, by sinister and undue
 ‘ Means, obtained divers and sundry several Letters Patents,
 ‘ whereby they be made Denizens, and by Force thereof do
 ‘ enjoy the Liberties and Privileges of this Realm, and yet con-
 ‘ trary to the true Meaning of the said Letters Patents, in their
 ‘ Conditions and Behaviours they do remain *French*, and daily
 ‘ from Time to Time do discover the Counsell, State and Privities
 ‘ of this Realm, and compass, imagine and procure sundry Mis-
 ‘ chiefs and Damage to be done by the *French* Nation to this
 ‘ Realm, contrary to the said Acts of Parliament, and contrary
 ‘ to their said Letters Patents, and the Proviso contained in the
 ‘ same.’

IV. For Remedy whereof, and for the avoiding of the imminent
 Peril that for Want of due Providence may ensue to your most
 Royal Person (which our Lord God long preserve to reign over
 us), and to this your Highness Realm, by the malicious and
 secret Practices of the said Denizens, we most humbly beseech
 your most excellent Majesty to have vigilant Care and tender
 Consideration of your own Surety, and Preservation of this your
 Realm; and having good and sure Experience of your accustomed
 honourable and merciful Disposition and Inclination, do also most
 humbly beseech the same, that by your Royal Assent it may be
 enacted by the Authority of this present Parliament, That all
Frenchmen, and all and every other Person and Persons, born in
 any Place beyond the Seas, which at the Time of the Birth of
 any such Person or Persons was under the *French* King’s Obei-
 sance, not being Denizens, other than such as the King and Queen’s
 Highness, or the Queen only, shall specially licence, limit and
 appoint to remain within this Realm, shall depart out of this
 Realm, and out and from the Dominions and Territories of the
 same, there to remain and continue without Return into this
 Realm, during the Time and Continuance of the Wars between
 the *French* King and our Sovereign Lady the Queen, or her Heirs
 or Successors. And that our Sovereign Lord and Lady, the King
 and the Queen, or her Highness only, by the Authority of this
 Act, by their Letters Patents under the Great Seal of *England*,
 shall

Aliens without
 Licence to de-
 part.

shall and may have full Power and Authority from Time to Time, during the Life of the Queen's Highness (whom Almighty God long prosper and continue) after Offence found, or other due Proof of the Misdemeanour of any such Denizen committed contrary to the Laws of this Realm, to repeal and make void all and singular Letters Patents, or as many of them as to her Highness shall seem good, made thence the said Two and thirtieth Year of the Reign of King *Henry* the Eighth, to any Alien or Stranger born *French*, and under the Obeisance of the *French* King, concerning only the making of such Alien or Stranger Denizen, the same Letters Patents of Repeal to be proclaimed and used in Manner and Form following, that is to say, that every such Letters Patents of Repeal shall contain the Names and Surnames of every such Alien Stranger, whose Letters Patents shall so be repealed, and shall be solemnly and openly read and proclaimed in the King and Queen's Court of Chancery, between the Hours of Nine and Eleven before Noon, one Day in any one Term to be kept at *Westminster*, and in such and as many Terms and Counties of this Realm as shall be limited or appointed, or otherwise seem meet to the Queen's Majesty at any Time hereafter, during her Highness said Life, and that all and every such Letters Patents to be repealed in Manner and Form aforesaid, from and immediately after xxx. Days next ensuing such Repeal, shall, touching only the making of such Alien or Stranger Denizen, be void and of none Effect, and not before.

V. And be it further enacted by the Authority aforesaid, That such Aliens and Strangers Denizens, whose Patents the Queen's Highness hereafter shall fortune to allow or confirm, or whom her Highness shall licence to remain and tarry in this Realm, shall be bound to the King and Queen's Majesties by Recognisance, not to discover, nor cause to be discovered, the Counsel nor the Secrets of this Realm, and further to be bound and obedient unto and by the Laws and Statutes of the same; and if any such Alien born *French*, and under the Obeisance of the *French* King, as is aforesaid, shall refuse to knowledge any such Recognisance, that then the said Confirmation, Allowance and Licence shall be void and of none Effect.

Aliens remaining how far bound.

VI. Provided always, That if any such Alien, as is aforesaid, shall have purchased any Manor, Lands, Tenements or Hereditaments, of any Estate of Inheritance within this Realm, thence the Time that he was made Denizen; or that any Manor, Lands, Tenements or Hereditaments within this Realm were given to any such Alien, of any Estate of Inheritance, by any Letters Patents, or in the same Letters Patents whereby he was made Denizen; that the same Manor, Lands, Tenements and Hereditaments, after the Decease of such Alien, whose Letters Patents of making Denizen shall be as is aforesaid repealed, shall and may descend, remain or come unto such his Heir or Heirs, as been born within this Realm, and as be inheritable to the same, or to such other Person or Persons as should, by the Laws of this Realm, have and enjoy the same (or any Part thereof), if this Act or no such Repeal had been made, in such Manner and Form as though no such Repeal were had or made; the same Repeal, or any Thing in this Act to the contrary notwithstanding.

Proviso for Lands purchased by Denizen.

Denizen departing out of the Realm.

VII. Provided also, That it shall be lawful to the Queen's Majesty, her Heirs and Successors, immediately from and after the Departure of every such Denizen out of this Realm, to receive and take the clear yearly Issues, Revenues and Profits of all such Manors, Lands, Tenements, Rents, Fees, Annuities and Hereditaments, whereof any such Denizen were seised or had at the Time of this Act, or at the Time of his Departure out of this Realm as is afore said, for and during the Life of every such Denizen, in as ample and large Manner and Form, and in such Quality, Condition and Degree, as any such Denizen might lawfully have received and taken at the Time of the making of this present Act, and not otherwise; any Thing in this Act contained to the contrary notwithstanding.

C A P. VII.

An Act to make up the Jury with *Circumstantibus*, where the King and Queen's Majesties is a Party.

35 H. 8. c. 6.
§ 5, 6, &c.

‘ WHERE in the Parliament holden at *Westminster* the Fourteenth Day of *January* in the Thirty fifth Year of the Reign of the most noble and victorious Prince King *Henry* the Eighth, late King of *England*, among other Things, it was enacted and established, for the speedy Trial of Issues joined between Party and Party, in any of the King's Courts of Record holden at *Westminster*, to be tried by the Verdict of Twelve Men, before the Justices of Assise or *Nisi Prius*, that in every Writ of *Habeas Corpora* or *Distingas* with a *Nisi Prius* delivered of Record to the Sheriff, or other Minister or Ministers to whom the making of the Return shall appertain, where a full Jury shall not appear before the Justices of Assise or *Nisi Prius*, or else where after Appearance of a full Jury, by Challenge of any of the Parties, the Jury is like to remain untaken for Default of the Jurors, that then the same Justices, upon Request made by the Parties Plaintiff or Demandant, shall have Authority, by virtue of the said Act, to command the Sheriff, or other Minister or Ministers, to whom the making of the said Return shall appertain, to name and appoint, as often as Need shall require, so many of such other able Persons of the said County, then present at the said Assises or *Nisi Prius*, as shall make up a full Jury, which Persons so to be named and impanelled by such Sheriff, or other Minister or Ministers, shall be added to the former Panel, and their Names annexed to the same, as by the said Act more at large appeareth; which Statute was made to endure till the End of the next Parliament, and after was and is from Time to Time continued, and doth now remain, stand, and be in Effect; which Act doth not extend to any Jury impanelled to try an Issue joined between the King and the Party, or between such as pursue any Matter for the King and themselves:’

Tales de Circumstantibus granted.

II. Be it therefore enacted, ordained and established by the King and Queen's Majesties, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *June*

June next coming, the Justices of Assise and *Nisi Prius*, before whom any Trial shall be made by virtue of any Writ of *Habeas Corpus* or *Distingas*, with a *Nisi Prius*, where a full Jury shall not appear, or after Appearance of a full Jury, by Challenge the Jury is like to remain untaken for Default of Jurors, shall have Authority by virtue of this Act, upon Request made for the King and Queen, her Heirs or Successors, by any authorized thereunto, or assigned by the Justices of the Court before whom the said Inquest shall be taken, or upon Request to be made by the Party that followeth as well for the King and Queen, her Heirs and Successors, as for himself upon any Penal Statute, or his or their Attorney, to command the Sheriff, or other Minister or Ministers to whom the making of the said Return shall appertain, to name and appoint, as often as Need shall require, so many of such other able Persons of the said County, then present at the said Assises or *Nisi Prius*, and to add and annex the Names to the former Pannel, as shall make up a full Jury of Twelve Men, for the Trial of every such Issue :

III. And that all and every Clause, Sentence, Article and Proviso, comprised in the said former Act, shall be taken, interpreted and expounded, to give the like and the same Advantage and Commodity to the King and Queen's Majesties, her Heirs and Successors, and all such Person and Persons as shall pursue any Action, Plaint, Bill or Information for the King and Queen's Majesties, her Heirs and Successors only, or for them and the Party, as the Party Plaintiff in any other Action should or might have by virtue of the same Act, in such Form and Condition, to all Intents and Purposes, as if such Actions or Suits for the King had been specially and particularly mentioned and declared in the said Act.

35 H. 8. c. 6.
how to be ex-
pounded.

[*Extended to Defendants in all Cases, 14 Eliz. c. 9.*]

C A P. VIII.

An Act for the Punishment of such as shall take away Maidens that be Inheritors, being within the Age of Sixteen Years, or that marry them, without Consent of their Parents.

‘ **W**HERE Maidens and Women, Children of Noblemen, Gentlemen and others, as well as such be Heirs Apparent to their Ancestors, as others, having left unto them by their Father, or other Ancestor and Friends, Lands, Tenements and Hereditaments, or other great Substances in Goods and Chattels moveable, for and to the Intent to advance them in Marriage, somewhat like according to their Degrees, and as might be most for their Surety and Comfort, as well for themselves as of all other their Friends and Kinsfolks, be oftentimes unawares to their said Friends or Kinsfolks, by Flattery, trifling Gifts and fair Promises, of many unthrifty and light Personages, and thereto by the Intreaty of Persons of lewd Demeanour, and others that for Rewards buy and sell the said Maidens and Children, secretly allured and won to contract Matrimony with the said unthrifty and light Personages, and thereupon either
‘ with

‘ with Sleight or Force oftentimes be taken and conveyed away
 ‘ from their said Parents, Friends or Kinsfolk, to the high Dis-
 ‘ pleasure of Almighty God, Disparagement of the said Children,
 ‘ and the extreme continual Heaviness of all their Friends; which
 ‘ ungodly Dealing, for Lack of wholesome Laws to the Redress
 ‘ thereof, remaineth a great, familiar and common Mischief in this
 ‘ our Commonwealth:’

Maidens, &c.
 not to be taken
 away.

II. For Remedy whereof, be it enacted by the King and Queen's Majesties, the Lords Spiritual and Temporal, and the Commons, of this present Parliament assembled, and by the Authority of the same, That it shall not be lawful to any Person or Persons to take or convey away, or cause to be taken or conveyed away, any Maid or Woman Child unmarried, being under the Age of Sixteen Years, out of or from the Possession, Custody or Governance, and against the Will of the Father of such Maid or Woman Child, or of such Person or Persons to whom the Father of such Maid or Woman Child, by his last Will and Testament, or by any other Act in his Life-time, hath or shall appoint, assign, bequeath, give or grant the Order, Keeping, Education or Governance of such Maid or Woman Child, except such taking and conveying away as shall be had, made or done, by or for such Person or Persons, as without Fraud or Covin be or then shall be the Master or Mistress of such Maid or Woman Child, or the Guardian in Socage, or Guardian in Chivalry, of or to such Maid or Woman Child.

Taking a Maid
 under xvi. Years
 of Age.

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons above the Age of xiv. Years, shall, from and after the First Day of *April* next coming, unlawfully take or convey, or cause to be taken or conveyed, any Maid or Woman Child unmarried, being within the Age of xvi. Years, out of or from the Possession and against the Will of the Father or Mother of such Child, or out of or from the Possession and against the Will of such Person or Persons as then shall happen to have, by any lawful Ways or Means, the Order, Keeping, Education or Governance of any such Maiden or Woman Child; that then every such Person and Persons so offending, being thereof lawfully attainted or convicted by the Order and due Course of the Laws of this Realm (other than such of whom such Person taken away shall hold any Lands or Tenements by Knights Service) shall have and suffer Imprisonment of his or their Bodies, by the Space of Two whole Years, without Bail or Mainprise, or else shall pay such Fine for his or their said Offence, as shall be assessed by the Council of the Queen's Highness, her Heirs or Successors, in the Star Chamber at *Westminster*. [Star Chamber dissolved, 16 Car. 1. c. 10. § 3.]

Punishment.

Taking away,
 deflowering, &c.
 a Woman under
 xvi. Years of
 Age.

IV. And be it further enacted by the Authority aforesaid, That if any Person or Persons, after the said Day, shall so take away, or cause to be taken away as is aforesaid, and deflower any such Maid or Woman Child as is aforesaid, or shall against the Will, or unknowing of or to the Father of any such Maid or Woman Child, if the Father be in Life, or against the Will or unknowing of the Mother of any such Maid or Woman Child (having the Custody or Governance of such Child, if the Father be dead) by secret Letters, Messages or otherwise, contract Matrimony with any such

such Maiden or Woman Child, except such Contracts of Matrimony as shall be made by the Consent of such Person or Persons, as by the Title of Wardship shall then have or be entitled to have the Marriage of such Maid or Woman Child; that then every such Person or Persons so offending, being thereof lawfully convicted as is aforesaid, shall suffer Imprisonment of his or their Bodies, by the Space of Five Years, without Bail or Mainprise, or else shall pay such Fine for his or their said Offence, as shall be assessed by the said Council in the said Star Chamber; the One Moiety of all which Forfeitures and Fines shall be to the King and Queen's Majesties, her Heirs and Successors, the other Moiety to the Parties grieved.

Punishment.

V. And be it further enacted by the said Authority, That the King and Queen's Highness honourable Council of the Star Chamber, by Bill of Complaint or Information, and Justices of Assise by Inquisition or Indictment, shall have Authority by virtue of this Act to hear and determine the said Offences; upon every wch Indictment and Inquisitions, such Process shall be awarded and lie, as upon an Indictment of Trespass at the Common Law.

Who may determine Offences.

VI. And further be it enacted by the Authority aforesaid, That if any Woman Child or Maiden, being above the Age of Twelve Years, and under the Age of Sixteen Years, do at any Time consent or agree to such Person that so shall make any Contract of Matrimony, contrary to the Form and Effect of this Statute, that then the next of the Kin of the same Woman Child or Maid, to whom the Inheritance should descend, return or come, after the Decease of the same Woman Child and Maid, shall, from the Time of such Assent and Agreement, have, hold and enjoy all such Lands, Tenements and Hereditaments as the same Woman Child and Maiden had in Possession, Reversion or Remainder, at the Time of such Consent and Agreement, during the Life of such Person that shall so contract Matrimony: And after the Decease of such Person so contracting Matrimony, that then the said Lands, Tenements and Hereditaments shall descend, revert, remain and come to such Person or Persons as they should have done in case this Act had never been had ne made, other than to him only that so shall contract Matrimony.

Consenting to an unlawful Contract.

VII. Provided always, and be it enacted, That this Act, nor any Thing therein contained, shall extend to take away or diminish any Liberty, Custom or Authority, touching or concerning any Orphan or Orphans, which now be or hereafter shall be within the City of London, or any other City, Borough or Town, where Orphans are commonly used to be provided for, either by Grant or by Custom, but that the Lord Mayor of the said City of London, and the Aldermen of the same for the Time being, and all and every other Head Officer or Officers of any other City, Borough or Town, where such Orphans be provided for, shall and may have and take like Rule, Order, Keeping and Charge of such Orphan and Orphans, and of all their Lands, Tenements, Goods and Chattels, as heretofore they or any of them lawfully had or used, or lawfully might have had and used, if this Act had not been made.

Orders for Orphans.

C A P. IX.

An Act for the Continuation of certain Statutes. EXP.

C A P. X.

An Act for the Confirmation of the Subsidy of the Clergy.
EXP.

C A P. XI.

An Act of a Subsidy and one Fifteen, granted by the Temporality. EXP.

[Caps. 10. and 11. not on the Roll.]

End of the Statutes of PHILIP and MARY.

Anno primo Reginae ELIZABETHÆ.
(A.D. 1558.)

STATUTES made in the Parliament holden at Westminster the xxv. Day of January in the First Year of the Reign of our most gracious and excellent Sovereign Lady ELIZABETH, by the Grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c. viz.

C A P. I.

An Act restoring to the Crown the ancient Jurisdiction over the State Ecclesiastical and Spiritual and abolishing all foreign Power repugnant to the same.

MOST humbly beseech your most excellent Majesty, your faithful and obedient Subjects the Lords Spiritual and Temporal, and the Commons, in this your present Parliament assembled, That where in Time of the Reign of your most dear Father, of worthy Memory, King *Henry* the Eighth, divers good Laws and Statutes were made and established, as well for the utter Extinguishment and putting away of all usurped and foreign Powers and Authorities out of this your Realm, and other your Highness Dominions and Countries, as also for the restoring and uniting to the Imperial Crown of this Realm, the ancient Jurisdictions, Authorities, Superiorities and Preheminences to the same of Right belonging or appertaining, by Reason whereof we your most humble and obedient Subjects, from the xxv. Year of the Reign of your said dear Father, were continually kept in good Order, and were disburdened of divers great and intolerable Charges and Exactions before that Time unlawfully taken and exacted by such foreign Power and Authority as before that was usurped, until such Time as all the said good Laws and Statutes by One Act of Parliament made in the First and Second Years of the Reigns of the late King *Philip* and Queen *Mary*, your Highness Sister, intituled, *An Act repealing all Statutes, Articles and Provisions made against the See Apostolick of Rome since the Twentieth Year of King Henry the Eighth, and also for the Establishment of all Spiritual and Ecclesiastical Possessions and Hereditaments conveyed to the Laity*, were all clearly repealed and made void, as by the same Act of Repeal more at large doth and may appear, by Reason of which Act of Repeal, your said humble Subjects were eftsoons brought under an usurped foreign Power and Authority, and do yet remain in that Bondage, to the intolerable Charges of your loving Subjects, if some Redress (by the Authority of this your High Court of Parliament, with the Assent of your Highness) be not had and provided :

It May it therefore please your Highness, for the repressing of the said usurped foreign Power, and the restoring of the Rights, Jurisdictions and Preheminences appertaining to the Imperial Crown of this your Realm, that it may be enacted by Authority

1 & 2 P. & M.
c. 8. repealed.

of this present Parliament, That the said Act made in the said First and Second Years of the Reigns of the said late King *Philip* and Queen *Mary*, and all and every Branches, Clauses and Articles therein contained (other than such Branches, Clauses and Sentences as hereafter shall be excepted) may from the last Day of this Session of Parliament, by Authority of this present Parliament, be repealed, and shall from thenceforth be utterly void and of none Effect.

“ 23 H. 8. c. 9. 24 H. 8. c. 12. and one other Act made the
“ xxv. Year of the said late King, concerning Restraint of Pay-
“ ment of Annates and First Fruits of Archbishopricks and
“ Bishopricks to the See of *Rome*, 25 H. 8. c. 19. 25 H. 8. c. 20.
“ 25 H. 8. c. 21. 26 H. 8. c. 14. 28 H. 8. c. 16. and all and every
“ Branches, Words and Sentences in the said several Acts and
“ Statutes contained, by the Authority of this present Parliament,
“ from and at all Times after the last Day of this Session of Parlia-
“ ment, shall be revived, and shall stand and be in full Force and
“ Strength, to all Intents, Constructions and Purposes: And that
“ the Branches, Sentences and Words of the said several Acts,
“ and every of them, from thenceforth shall and may be judged,
“ deemed and taken to extend to your Highness, your Heirs and
“ Successors, as fully and largely as ever the same Acts, or any
“ of them, did extend to the said late King *Henry* the Eighth,
“ your Highness Father. § 3—10.

32 H. 8. c. 38.

XI. And that it may also please your Highness, that it may be enacted by the Authority of this present Parliament, That so much of one Act or Statute made in the xxxij. Year of the Reign of your said dear Father King *Henry* the Eighth, intituled, *An Act concerning Precontracts of Marriages, and touching Degrees of Consanguinity*, as in the Time of the late King *Edward* the Sixth, your Highness most dear Brother, by one other Act or Statute, was not repealed;

2 & 3 E. 6. c. 23.

37 H. 8. c. 17.

XII. And also one Act made in the xxxvij. Year of the Reign of the said late King *Henry* the Eighth, intituled, *An Act that Doctors of the Civil Law, being married, may exercise Ecclesiastical Jurisdiction*; and all and every Branches and Articles in the said Two Acts last mentioned, and not repealed in the Time of the said late King *Edward* the Sixth, may from henceforth likewise stand and be revived, and remain in their full Force and Strength, to all Intents and Purposes; any Thing contained in the said Act of Repeal before mentioned, or any other Matter or Cause to the contrary notwithstanding.

What Statutes
repealed by 1 &
2 P. & M. c. 8.
shall continue
repealed.

XIII. And that it may also please your Highness, that it may further be enacted by the Authority aforesaid, That all other Laws and Statutes, and the Branches and Clauses of any Act or Statute, repealed and made void by the said Act of Repeal, made in the Time of the said late King *Philip* and Queen *Mary*, and not in this present Act specially mentioned and revived, shall stand, remain and be repealed and void, in such like Manner and Form as they were before the making of this Act; any Thing herein contained to the contrary notwithstanding.

XIV. And that it may also please your Highness, that it may be enacted by the Authority aforesaid, That one Act and Statute made in the First Year of the Reign of the late King *Edward* the Sixth, your Majesty's most dear Brother, intituled, *An Act against*
such

1 E 6 c. 1.

such Persons as shall unreverently speak against the Sacrament of the Body and Blood of Christ, commonly called the Sacrament of the Altar, and for the receiving thereof under both Kinds, and all and every Branches, Clauses and Sentences therein contained, shall and may likewise from the last Day of this Session of Parliament be revived, and from thenceforth shall and may stand, remain and be in full Force, Strength and Effect, to all Intents, Constructions and Purposes, in such like Manner and Form as the same was at any Time in the First Year of the Reign of the said late King Edward the Sixth; any Law, Statute or other Matter to the contrary in any wise notwithstanding.

revived.

XV. And that also it may please your Highness, that it may be further established and enacted by the Authority aforesaid, That one Act and Statute made in the First and Second Years of the said late King *Philip* and Queen *Mary*, intituled, *An Act for the reviving of Three Statutes made for the Punishment of Heresies*; and also the said Three Statutes mentioned in the said Act, and by the same Act revived (a), and all and every Branches, Articles, Clauses and Sentences contained in the said several Acts and Statutes, and every of them, shall be from the last Day of this Session of Parliament deemed and remain utterly repealed, void and of none Effect, to all Intents and Purposes; any Thing in the said several Acts or any of them contained, or any other Matter or Cause to the contrary notwithstanding. (a) [5 R. 2. Stat. 2. c. 5. 2 H. 4. c. 15. 2 H. 5. Stat. 1. c. 7.]

1 & 2 P. & M. c. 6.

XVI. And to the Intent that all usurped and foreign Power and Authority Spiritual and Temporal, may for ever be clearly extinguished, and never to be used or obeyed within this Realm, or any other your Majesties Dominions or Countries; may it please your Highness that it may be further enacted by the Authority aforesaid, That no foreign Prince, Person, Prelate, State or Potentate Spiritual or Temporal, shall at any Time after the last Day of this Session of Parliament use, enjoy or exercise any Manner of Power, Jurisdiction, Superiority, Authority, Preheminence or Privilege Spiritual or Ecclesiastical, within this Realm, or within any other your Majesty's Dominions or Countries that now be, or hereafter shall be, but from thenceforth the same shall be clearly abolished out of this Realm, and all other your Highness Dominions for ever; any Statute, Ordinance, Custom, Constitutions or any other Matter or Cause whatsoever to the contrary in any wise notwithstanding.

The abolishing of foreign Authority.

XVII. And that also it may likewise please your Highness, that it may be established and enacted by the Authority aforesaid, That such Jurisdictions, Privileges, Superiorities and Preheminences Spiritual and Ecclesiastical, as by any Spiritual or Ecclesiastical Power or Authority hath heretofore been, or may lawfully be exercised or used for the Visitation of the Ecclesiastical State and Persons, and for Reformation, Order and Correction of the same, and of all Manner of Errors, Heresies, Schisms, Abuses, Offences, Contempts and Enormities, shall for ever, by Authority of this present Parliament, be united and annexed to the Imperial Crown of this Realm.

Ecclesiastical Jurisdiction annexed to the Crown.

XVIII. And that your Highness, your Heirs and Successors, Kings or Queens of this Realm, shall have full Power and Authority, by virtue of this Act, by Letters Patents under the Great Seal

The Queen may assign Commissioners to exercise Ecclesiastical Jurisdiction.

Seal of *England*, to assign, name and authorize, when and as often as your Highness, your Heirs or Successors, shall think meet and convenient, and for such and so long Time as shall please your Highness, your Heirs or Successors, such Person or Persons being natural-born Subjects to your Highness, your Heirs or Successors, as your Majesty, your Heirs or Successors, shall think meet, to exercise, use, occupy and execute under your Highness, your Heirs and Successors, all Manner of Jurisdictions, Privileges and Preheminences, in any wise touching or concerning any Spiritual or Ecclesiastical Jurisdiction within these your Realms of *England* and *Ireland*, or any other your Highness Dominions and Countries; and to visit, reform, redress, order, correct and amend all such Errors, Heresies, Schisms, Abuses, Offences, Contempts and Enormities whatsoever, which by any Manner of Spiritual or Ecclesiastical Power, Authority or Jurisdiction, can or may lawfully be reformed, ordered, redressed, corrected, restrained or amended, to the Pleasure of Almighty God, the Increase of Virtue, and the Conservation of the Peace and Unity of this Realm; and that such Person or Persons so to be named, assigned, authorized and appointed by your Highness, your Heirs or Successors, after the said Letters Patents to him or them made and delivered as is aforesaid, shall have full Power and Authority, by virtue of this Act, and of the said Letters Patents under your Highness, your Heirs and Successors, to exercise, use and execute all the Premises, according to the Tenour and Effect of the said Letters Patents; any Matter or Cause to the contrary in any wise notwithstanding. [Repealed 16 Car. 1. c. 11. § 3. and see 13 Car. 2. c. 12. § 3.]

Who are to take
the Oath of
Supremacy.

XIX. And for the better Observation and Maintenance of this Act, may it please your Highness that it may be further enacted by the Authority aforesaid, That all and every Archbishop, Bishop, and all and every other Ecclesiastical Person, and other Ecclesiastical Officer and Minister, of what Estate, Dignity, Preheminence or Degree soever he or they be or shall be, and all and every Temporal Judge, Justice, Mayor and other Lay or Temporal Officer and Minister, and every other Person having your Highness Fee or Wages within this Realm, or any your Highness Dominions, shall make, take and receive a corporal Oath upon the Evangelist, before such Person or Persons as shall please your Highness, your Heirs or Successors, under the Great Seal of *England* to assign and name, to accept and to take the same according to the Tenour and Effect hereafter following; that is to say,

The Oath.

‘ I *A. B.* do utterly testify and declare in my Conscience, That
‘ the Queen’s Highness is the only Supreme Governor of this
‘ Realm, and of all other her Highness Dominions and Countries,
‘ as well in all Spiritual or Ecclesiastical Things or Causes, as
‘ Temporal; and that no foreign Prince, Person, Prelate, State or
‘ Potentate hath or ought to have any Jurisdiction, Power, Su-
‘ periority, Preheminence or Authority Ecclesiastical or Spiritual,
‘ within this Realm; and therefore I do utterly renounce and
‘ forsake all foreign Jurisdictions, Powers, Superiorities and
‘ Authorities, and do promise, that from henceforth I shall bear
‘ Faith and true Allegiance to the Queen’s Highness, her Heirs
‘ and lawful Successors, and to my Power shall assist and defend
‘ all Jurisdictions, Preheminences, Privileges and Authorities
‘ granted or belonging to the Queen’s Highness, her Heirs and
‘ Successors,

Successors, or united and annexed to the Imperial Crown of this Realm. So help me God, and by the Contents of this Book.
[How expounded, 5 Eliz. c. 1. § 14. But the Oath repealed 1 W. & M. Sess. 1. c. 8. § 2.]

XX. And that it may also be enacted, That if any such Archbishop, Bishop or any other Ecclesiastical Officer or Minister, or any of the said Temporal Judges, Justiciaries, or other Lay Officer or Minister, shall peremptorily or obstinately refuse to take or receive the said Oath, that then he so refusing shall forfeit and lose, only during his Life, all and every Ecclesiastical and Spiritual Promotion, Benefice and Office, and every Temporal and Lay Promotion and Office, which he hath solely at the Time of such Refusal made; and that the whole Title, Interest and Incumbency, in every such Promotion, Benefice and other Office, as against such Person only so refusing, during his Life, shall clearly cease and be void, as though the Party so refusing were dead.

Refusing the Oath.

Penalty.

XXI. And that also all and every such Person and Persons so refusing to take the said Oath, shall immediately after such Refusal, be from thenceforth, during his Life, disabled to retain or exercise any Office or other Promotion which he at the Time of such Refusal hath jointly, or in common with any other Person or Persons.

Penalty.

XXII. And that all and every Person and Persons, that at any Time hereafter shall be preferred, promoted or collated to any Archbishoprick or Bishoprick, or to any other Spiritual or Ecclesiastical Benefice, Promotion, Dignity, Office or Ministry; or that shall be by your Highness, your Heirs or Successors, preferred or promoted to any Temporal or Lay Office, Ministry or Service within this Realm, or in any your Highness Dominions, before he or they shall take upon him or them to receive, use, exercise, supply or occupy any such Archbishoprick, Bishoprick, Promotion, Dignity, Office, Ministry or Service, shall likewise make, take and receive the said corporal Oath before mentioned, upon the Evangelist, before such Persons as have or shall have Authority to admit any such Person to any such Office, Ministry or Service, or else before such Person or Persons as by your Highness, your Heirs or Successors, by Commission under the Great Seal of England, shall be named, assigned or appointed to minister the said Oath.

Officers, &c. before they exercise their Office to take the Oath.

XXIII. And that it may likewise be further enacted by the Authority aforesaid, That if any such Person or Persons, as at any Time hereafter shall be promoted, preferred or collated to any such Promotion Spiritual or Ecclesiastical, Benefice, Office or Ministry, or that by your Highness, your Heirs or Successors, shall be promoted or preferred to any Temporal or Lay Office, Ministry or Service, shall and do peremptorily and obstinately refuse to take the same Oath so to him to be offered; that then he or they so refusing shall presently be judged disabled in the Law to receive, take or have the same Promotion Spiritual or Ecclesiastical, or the same Temporal Office, Ministry or Service within this Realm, or any other your Highness Dominions, to all Intents, Constructions and Purposes.

Refusing.
Penalty.

XXIV. And that it may be further enacted by the Authority aforesaid, That all and every Person and Persons Temporal, suing

What Persons are to take the Oath.

Livery or *Oustre le maine* (a) out of the Hands of your Highness, your Heirs or Successors, before his or their Livery or *Oustre le maine* sued forth and allowed, and every Temporal Person or Persons doing any Homage to your Highness, your Heirs or Successors, or that shall be received into Service with your Highness, your Heirs or Successors, shall make, take and receive the said corporal Oath before mentioned, before the Lord Chancellor of England, or the Lord Keeper of the Great Seal for the Time being, or before such Person or Persons as by your Highness, your Heirs or Successors, shall be named and appointed to accept or receive the same. (a) [*Lands discharged from Oustermain, 12 Car. 2. c. 24. § 4.*]

XXV. And that also all and every Person and Persons taking Orders, and all and every other Person and Persons which shall be promoted or preferred to any Degree of Learning in any University within this your Realm or Dominions, before he shall receive or take any such Orders, or be preferred to any such Degree of Learning, shall make, take and receive the said Oath by this Act set forth and declared as is aforesaid, before his or their Ordinary, Commissary, Chancellor or Vice-Chancellor, or their sufficient Deputies in the said University.

Proviso.

XXVI. Provided always, and that it may be further enacted by the Authority aforesaid, That if any Person, having any Estate of Inheritance in any Temporal Office or Offices, shall hereafter obstinately and peremptorily refuse to accept and take the said Oath as is aforesaid, and after at any Time during his Life shall willingly require to take and receive the said Oath, and so do take and accept the same Oath before any Person or Persons that shall have lawful Authority to minister the same; that then every such Person, immediately after he hath so received the said Oath, shall be vested, judged and deemed in like Estate and Possession of the said Office, as he was before the said Refusal, and shall and may use and exercise the said Office in such Manner and Form as he should or might have done before such Refusal; any Thing in this Act contained to the contrary in any wise notwithstanding.

XXVII. And for the more sure Observation of this Act, and the utter Extinguishment of all foreign and usurped Power and Authority, may it please your Highness, that it may be further enacted by the Authority aforesaid, That if any Person or Persons dwelling or inhabiting within this your Realm, or in any other your Highness Realms or Dominions, of what Estate, Dignity or Degree soever he or they be, after the End of Thirty Days next after the Determination of this Session of this present Parliament, shall by Writing, Printing, Teaching, Preaching, express Words, Deed or Act, advisedly, maliciously and directly affirm, hold, stand with, set forth, maintain or defend the Authority, Preheminence, Power or Jurisdiction, Spiritual or Ecclesiastical, of any foreign Prince, Prelate, Person, State or Potentate whatsoever, heretofore claimed, used or usurped within this Realm, or any Dominion or Country being within or under the Power, Dominion or Obedience of your Highness; or shall advisedly, maliciously and directly put in Ure or execute any Thing for the Extolling, Advancement, setting forth, Maintenance or Defence of any such pretended or usurped Jurisdiction, Power, Preheminence and Authority, or any Part thereof; that then every such Person

Maintaining foreign Authority.

and Persons so doing and offending, their Abettors, Aiders, Procurers and Counsellors, being thereof lawfully convicted and attainted, according to the due Order and Courfe of the Common Laws of this Realm, for his or their First Offence shall forfeit and lose unto your Highness, your Heirs and Successors, all his and their Goods and Chattels, as well real as personal.

First Offence.

Penalty.

XXVIII. And if any such Person so convicted or attainted shall not have or be worth of his proper Goods and Chattels to the Value of Twenty Pounds, at the Time of his Conviction or Attainder; that then every such Person so convicted or attainted, over and besides the Forfeiture of all his said Goods and Chattels, shall have and suffer Imprisonment by the Space of One whole Year, without Bail or Mainprife.

Imprisonment.

XXIX. And that also all and every the Benefices, Prebends and other Ecclesiastical Promotions and Dignities whatsoever, of every Spiritual Person so offending, and being attainted, shall immediately after such Attainder be utterly void to all Intents and Purposes, as though the Incumbent thereof were dead; and that the Patron and Donor of every such Benefice, Prebend, Spiritual Promotion and Dignity, shall and may lawfully present unto the same, or give the same, in such Manner and Form as if the said Incumbent were dead; and if any such Offender or Offenders, after such Conviction or Attainder, do oftsoons commit or do the said Offences, or any of them, in Manner and Form aforesaid, and be thereof duly convicted and attainted as is aforesaid; that then every such Offender and Offenders shall for the same Second Offence incur into the Dangers, Penalties and Forfeitures ordained and provided by the Statute of Provision and *Premunire*, made in the Sixteenth Year of the Reign of King *Richard* the Second.

Second Offence.

Premunire.

16 R. 2. c. 5.

XXX. And if any such Offender or Offenders, at any Time after the said Second Conviction and Attainder, do the Third Time commit and do the said Offences, or any of them, in Manner and Form aforesaid, and be thereof duly convicted and attainted as is aforesaid; that then every such Offence or Offences shall be deemed and adjudged High Treason, and that the Offender or Offenders therein, being thereof lawfully convicted and attainted, according to the Laws of this Realm, shall suffer Pains of Death, and other Penalties, Forfeitures and Losses, as in Cases of High Treason by the Laws of this Realm.

Third Offence.

High Treason.

XXXI. And also that it may likewise please your Highness, that it may be enacted by the Authority aforesaid, That no Manner of Person or Persons shall be molested or impeached for any of the Offences so committed or perpetrated only by Preaching, Teaching or Words, unless he or they be thereof lawfully indicted within the Space of One Half Year next after his or their Offences so committed; and in case any Person or Persons shall fortune to be imprisoned for any of the said Offences committed by Preaching, Teaching or Words only, and be not thereof indicted within the Space of One Half Year next after his or their such Offence so committed and done, that then the said Person so imprisoned shall be set at Liberty, and be no longer detained in Prison for any such Cause or Offence.

Within what Time an Offender shall be impeached.

XXXII. Provided always, and be it enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not in any wise extend to repeal any Clause, Matter or Sentence contained

All Things touching the *Premunire* in 1 & 2 P. & M. c. 8. 6 40. to continue in force.

tained or specified in the said Act of Repeal made in the said First and Second Years of the Reigns of the said late King *Philip* and Queen *Mary*, as doth in any wise touch or concern any Matter or Cause of *Premunire*, or that doth make or ordain any Matter or Cause to be within the Case of *Premunire*; but that the same, for so much only as toucheth or concerneth any Case or Matter of *Premunire*, shall stand and remain in such Force and Effect, as the same was before the making of this Act; any Thing in this Act contained to the contrary in any wise notwithstanding.

Offences committed against Statutes revived.

XXXIII. Provided also, and be it enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not in any wise extend or be prejudicial to any Person or Persons for any Offence or Offences committed or done, or hereafter to be committed or done, contrary to the Tenor and Effect of any Act or Statute now revived by this Act, before the End of Thirty Days next after the End of the Session of this present Parliament; any Thing in this Act contained, or any other Matter or Cause to the contrary notwithstanding.

Trial of Peers.

XXXIV. And if it happen that any Peer of this Realm shall fortune to be indicted of and for any Offence that is revived or made *Premunire* or Treason by this Act; that then he so being indicted shall have his Trial by his Peers, in such like Manner and Form as in other Cases of Treason hath been used.

Orders in Matter of Religion, &c.

XXXV. Provided always, and be it enacted as is aforesaid, That no Manner of Order, Act or Determination for any Matter of Religion, or Cause Ecclesiastical, had or made by the Authority of this present Parliament, shall be accepted, deemed, interpreted or adjudged at any Time hereafter, to be any Error, Heresy, Schism or schismatical Opinion; any Order, Decree, Sentence, Constitution or Law, whatsoever the same be, to the contrary notwithstanding.

Authority of Commissioners to adjudge Heresy.

XXXVI. Provided always, and be it enacted by the Authority aforesaid, That such Person or Persons to whom your Highness, your Heirs or Successors, shall hereafter by Letters Patents, under the Great Seal of *England*, give Authority to have or execute any Jurisdiction, Power or Authority Spiritual, or to visit, reform, order or correct any Errors, Heresies, Schisms, Abuses or Enormities by virtue of this Act, shall not in any wise have Authority or Power to order, determine or adjudge any Matter or Cause to be Heresy, but only such as heretofore have been determined, ordered or adjudged to be Heresy, by the Authority of the Canonical Scriptures, or by the first of Four General Councils, or any of them, or by any other General Council wherein the same was declared Heresy by the express and plain Words of the said Canonical Scriptures, or such as hereafter shall be ordered, adjudged or determined to be Heresy by the High Court of Parliament of this Realm, with the Assent of the Clergy in their Convocation; any Thing in this Act contained to the contrary notwithstanding.

None shall be indicted or arraigned, but by Two Witnesses.

XXXVII. And be it further enacted by the Authority aforesaid, That no Person or Persons shall be hereafter indicted or arraigned for any of the Offences made, ordained, revived or adjudged by this Act, unless there be Two sufficient Witnesses or more, to testify and declare the said Offences whereof he shall be indicted

indicted or arraigned: And that the said Witnesses, or so many of them as shall be living and within this Realm at the Time of the Arraignment of such Person so indicted, shall be brought forth in Person, Face to Face, before the Party so arraigned, and there shall testify and declare what they can say against the Party so arraigned, if he require the same.

XXXVIII. Provided also, and be it further enacted by the Authority aforesaid, That if any Person or Persons shall hereafter happen to give any Relief, Aid or Comfort, or in any wise be aiding, helping or comforting to the Person or Persons of any that shall hereafter happen to be an Offender in any Matter or Case of *Premunire* or Treason revived or made by this Act; that then such Relief, Aid or Comfort given shall not be judged or taken to be any Offence, unless there be Two sufficient Witnesses at the least, that can and will openly testify and declare that the Person or Persons that so gave such Relief, Aid or Comfort, had Notice and Knowledge of such Offence committed and done by the said Offender, at the Time of such Relief, Aid or Comfort so to him given or ministered; any Thing in this Act contained, or any other Matter or Cause to the contrary in any wise notwithstanding.

“ *Chetwood's Appeal to the Court of Rome*, § 39—42. Provision for *Appeal between Robert Harcourt and Anthony Fyell*. § 43.

Prov'so for them that give Relief to Offenders.

C A P. II.

An Act for the Uniformity of Common Prayer and Divine Service in the Church, and the Administration of the Sacraments.

“ **W**HERE at the Death of our late Sovereign Lord King *Edward the Sixth* there remained one uniform Order of Common Service and Prayer, and of the Administration of Sacraments, Rites and Ceremonies in the Church of *England*, which was set forth in one Book, intituled, The Book of Common Prayer, and Administration of Sacraments, and other Rites and Ceremonies in the Church of *England*; authorized by Act of Parliament holden in the Fifth and Sixth Years of our said late Sovereign Lord King *Edward the Sixth*, intituled, *An Act for the Uniformity of Common Prayer, and Administration of the Sacraments*; the which was repealed and taken away by Act of Parliament in the First Year of the Reign of our late Sovereign Lady Queen *Mary*, to the great Decay of the due Honour of God, and Discomfort to the Professors of the Truth of Christ's Religion:”

II. Be it therefore enacted by the Authority of this present Parliament, That the said Estatute of Repeal, and every Thing therein contained, only concerning the said Book, and the Service, Administration of the Sacraments, Rites and Ceremonies, contained or appointed in or by the said Book, shall be void and of none Effect, from and after the Feast of the Nativity of *St. John Baptist* next coming; and that the said Book, with the Order of Service, and of the Administration of Sacraments, Rites and Ceremonies, with the Alterations and Additions therein added and appointed by this Estatute, shall stand and be, from and after the said Feast of the Nativity of *St. John Baptist*, in full Force and

5 & 6 E. 6. c. 1.
1 M. Seff. 2. c. 2.
repealed.

Book of Common Prayer II. Act be of Effect.

Effect, according to the Tenor and Effect of this Estatute; any Thing in the aforesaid Estatute of Repeal to the contrary notwithstanding.

Book of Common Prayer shall be used.

III. And further be it enacted by the Queen's Highness, with the Assent of the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That all and singular Ministers in any Cathedral or Parish Church, or other Place within this Realm of *England, Wales*, and the Marches of the same, or other the Queen's Dominions, shall, from and after the Feast of the Nativity of *St. John Baptist* next coming, be bounden to say and use the Mattens, Even-song, Celebration of the Lord's Supper and Administration of each of the Sacraments, and all the Common and open Prayer, in such Order and Form as is mentioned in the said Book, so authorized by Parliament in the said Fifth and Sixth Years of the Reign of King *Edward* the Sixth, with one Alteration or Addition of certain Lessons to be used on every *Sunday* in the Year, and the Form of the Litany altered and corrected, and Two Sentences only added in the Delivery of the Sacrament to the Communicants, and none other or otherwise.

Alteration thereof.

5 & 6 E. 6. c. 1.
using other Service than the Book of Common Prayer.

IV. And that if any Manner of Parson, Vicar or other whatsoever Minister, that ought or should sing or say Common Prayer mentioned in the said Book, or minister the Sacraments, from and after the Feast of the Nativity of *St. John Baptist* next coming, refuse to use the said Common Prayers, or to minister the Sacraments in such Cathedral or Parish Church, or other Places as he should use to minister the same, in such Order and Form as they be mentioned and set forth in the said Book; or shall wilfully or obstinately, standing in the same, use any other Rite, Ceremony, Order, Form or Manner of celebrating of the Lord's Supper, openly or privily, or Mattens, Even-song, Administration of the Sacraments, or other open Prayers, than is mentioned and set forth in the said Book; (open Prayer in and throughout this Act, is meant that Prayer which is for others to come unto, or hear, either in common Churches, or private Chapels or Oratories, commonly called, the Service of the Church); or shall preach, declare or speak any Thing in the Derogation or depraving of the said Book, or any Thing therein contained, or of any Part thereof, and shall be thereof lawfully convicted, according to the Laws of this Realm, by Verdict of Twelve Men, or by his own Confession, or by the notorious Evidence of the Fact, shall lose and forfeit to the Queen's Highness, her Heirs and Successors, for his First Offence, the Profit of all his Spiritual Benefices or Promotions coming or arising in one whole Year next after his Conviction: And also that the Person so convicted shall for the same Offence suffer Imprisonment for the Space of Six Months, without Bail or Mainprise.

Depraving Book of Common Prayer.

Penalty.

Second Offence.

Penalty.

V. And if any such Person once convicted of any Offence concerning the Premises, shall after his First Conviction afterwards offend, and be thereof in Form aforesaid lawfully convicted, that then the same Person shall for his Second Offence suffer Imprisonment by the Space of one whole Year, and also shall therefore be deprived, *ipso facto*, of all his Spiritual Promotions; and that it shall be lawful to all Patrons or Donors of all and singular the same Spiritual Promotions or of any of them, to present or collate to the same, as though the Person or Persons so offending were dead.

VI. And

VI. And that if any such Person or Persons, after he shall be Twice convicted in Form aforesaid, shall offend against any of the Premises the Third Time, and shall be thereof in Form aforesaid lawfully convicted, that then the Person so offending and convicted the third Time, shall be deprived, *ipso facto*, of all his Spiritual Promotions, and also shall suffer Imprisonment during his Life.

Third Offence.

Penalty.

VII. And if the Person that shall offend, and be convicted in Form aforesaid, concerning any of the Premises, shall not be beneficed, nor have any Spiritual Promotion, that then the same Person so offending and convicted, shall for the First Offence suffer Imprisonment during one whole Year next after his said Conviction, without Bail or Mainprise.

Penalty of Offender having no Spiritual Promotion.

VIII. And if any such Person, not having any Spiritual Promotion, after his First Conviction shall afterwards offend in any Thing concerning the Premises, and shall in Form aforesaid be thereof lawfully convicted, that then the same Person shall for his Second Offence suffer Imprisonment during his Life.

Imprisonment.

IX. And it is ordained and enacted by the Authority aforesaid, That if any Person or Persons whatsoever, after the said Feast of the Nativity of *St. John Baptist* next coming, shall in any Enterludes, Plays, Songs, Rhymes, or by other open Words, declare or speak any Thing in the Derogation, Depraving or Despising of the same Book, or of any Thing therein contained, or any Part thereof; or shall by open Fact, Deed or by open Threatnings, compel or cause, or otherwise procure or maintain, any Parson, Vicar or other Minister in any Cathedral or Parish Church, or in Chapel, or in any other Place, to sing or say any Common or open Prayer, or to minister any Sacrament, otherwise or in any other Manner and Form than is mentioned in the said Book; or that by any of the said Means shall unlawfully interrupt or let any Parson, Vicar or other Minister in any Cathedral or Parish Church, Chapel or any other Place, to sing or say Common and open Prayer, or to minister the Sacraments or any of them, in such Manner and Form as is mentioned in the said Book; that then every such Person, being thereof lawfully convicted in Form aforesaid, shall forfeit to the Queen our Sovereign Lady, her Heirs and Successors, for the First Offence an Hundred Marks.

Doing any Thing, or speaking in Derogation of Book of Common Prayer, &c

First Offence.

X. And if any Person or Persons being once convicted of any such Offence, afterwards offend against any of the last recited Offences, and shall in Form aforesaid be thereof lawfully convicted; that then the same Person so offending and convicted shall for the second Offence forfeit to the Queen our Sovereign Lady, her Heirs and Successors, Four hundred Marks.

Second Offence

XI. And if any Person, after he in Form aforesaid shall have been Twice convicted of any Offence concerning any of the last recited Offences, shall offend the Third Time, and be thereof in Form aforesaid lawfully convicted, that then every Person so offending and convicted shall for his Third Offence forfeit to our Sovereign Lady the Queen all his Goods and Chattels, and shall suffer Imprisonment during his Life.

Third Offence. Penalty.

XII. And if any Person or Persons, that for his First Offence concerning the Premises shall be convicted in Form aforesaid, do not pay the Sum to be paid by virtue of his Conviction, in such Manner and Form as the same ought to be paid, within Six Weeks next after his Conviction; that then every Person so convicted, and so not paying

Not paying Forfeiture.

First Offence.

paying the same, shall for the same First Offence, instead of the said Sum, suffer Imprisonment by the Space of Six Months without Bail or Mainprise.

Second Offence.

XIII. And if any Person or Persons, that for his Second Offence concerning the Premises shall be convicted in Form aforesaid, do not pay the said Sum to be paid by virtue of his Conviction and this Estatute, in such Manner and Form as the same ought to be paid, within Six Weeks next after his said Second Conviction; that then every Person so convicted, and not so paying the same, shall for the same second Offence, in the stead of the said Sum, suffer Imprisonment during Twelve Months, without Bail or Mainprise.

Penalty.

Every Person shall resort to Church upon Holy Days.

XIV. And that from and after the said Feast of the Nativity of *St. John Baptist* next coming, all and every Person and Persons inhabiting within this Realm, or any other the Queen's Majesty's Dominions, shall diligently and faithfully, having no lawful or reasonable Excuse to be absent, endeavour themselves to resort to their Parish Church or Chapel accustomed, or upon reasonable Let thereof, to some usual Place where Common Prayer and such Service of God shall be used in such Time of Let, upon every *Sunday*, and other Days ordained and used to be kept as Holy Days, and then and there to abide orderly and soberly during the Time of the Common Prayer, Preaching, or other Service of God there to be used and ministred; upon Pain of Punishment by the Censures of the Church, and also upon Pain that every Person so offending shall forfeit for every such Offence Twelve Pence, to be levied by the Churchwardens of the Parish where such Offence shall be done, to the Use of the Poor of the same Parish, of the Goods, Lands and Tenements of such Offender, by Way of Distress. [See 23 *Eliz. c. 1. § 5. One Justice may convict Offender, 3 Jac. 1. c. 4. § 27.*]

Penalty.

XV. And for due Execution hereof, the Queen's most excellent Majesty, the Lords Temporal, and all the Commons in this present Parliament assembled, do in God's Name earnestly require and charge all the Archbishops, Bishops and other Ordinaries, that they shall endeavour themselves to the uttermost of their Knowledges, that the due and true Execution hereof may be had throughout their Dioceses and Charges, as they will answer before God, for such Evils and Plagues wherewith Almighty God may justly punish his People for neglecting this good and wholesome Law.

Ordinary may punish by Censures of the Church.

XVI. And for their Authority in this Behalf, be it further enacted by the Authority aforesaid, That all and singular the said Archbishops, Bishops, and all other their Officers exercising Ecclesiastical Jurisdiction, as well in Place exempt as not exempt, within their Dioceses, shall have full Power and Authority by this Act to reform, correct and punish by Censures of the Church, all and singular Persons which shall offend within any their Jurisdictions or Dioceses, after the said Feast of the Nativity of *St. John Baptist* next coming, against this Act and Statute; any other Law, Statute, Privilege, Liberty or Provision heretofore made, had or suffered, to the contrary notwithstanding.

What Justices may punish these Offences.

XVII. And it is ordained and enacted by the Authority aforesaid, That all and every Justices of *Oyer and Determiner*, or Justices of Assize, shall have full Power and Authority in every of their open and general Sessions, to enquire, hear and determine all and all manner of Offences that shall be committed or done contrary to any Article contained in this present Act, within the Limits of the Commission

million to them directed, and to make Proceſs for the Execution of the ſame, as they may do againſt any Perſon being indicted before them of Treſpaſs, or lawfully convicted thereof.

XVIII. Provided always, and be it enacted by the Authority aforeſaid, That all and every Archbiſhop and Biſhop ſhall or may at all Time and Times, at his Liberty and Pleaſure, join and aſſociate himſelf, by virtue of this Act, to the ſaid Juſtices of *Oyer and Determiner*, or to the ſaid Juſtices of Aſſize, at every of the ſaid open and general Sessions to be holden in any Place within his Dioceſs, for and to the Enquiry, Hearing and Determining of the Offences aforeſaid.

A Biſhop may join with the Juſtices.

XIX. Provided alſo, and be it enacted by the Authority aforeſaid, That the Books concerning the ſaid Services ſhall at the Coſts and Charges of the Pariſhioners of every Pariſh and Cathedral Church, be attained and gotten before the ſaid Feaſt of the Nativity of *St. John Baptiſt* next following; and that all ſuch Pariſhes and Cathedral Churches, or other Places, where the ſaid Books ſhall be attained and gotten before the ſaid Feaſt of the Nativity of *St. John Baptiſt*, ſhall within Three Weeks next after the ſaid Books ſo attained and gotten uſe the ſaid Service, and put the ſame in Uſe according to this Act.

At whoſe Charges the Book of Common Prayer ſhall be gotten.

XX. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be at any Time hereafter impeached or otherwiſe moleſted of or for any of the Offences above mentioned, hereafter to be committed or done contrary to this Act, unleſs he or they ſo offending be thereof indicted at the next General Sessions to be holden before any ſuch Juſtices of *Oyer and Determiner* or Juſtices of Aſſize, next after any Offence committed or done contrary to the Tenor of this Act.

Within what Time Offenders ſhall be impeached.

XXI. Provided always, and be it ordained and enacted by the Authority aforeſaid, That all and ſingular Lords of the Parliament, for the Third Offence above mentioned, ſhall be tried by their Peers.

Trial of Peers.

XXII. Provided alſo, and be it ordained and enacted by the Authority aforeſaid, That the Mayor of *London* and all other Mayors, Bailiffs and other Head Officers of all and ſingular Cities, Boroughs and Towns Corporate within this Realm, *Wales*, and the Marches of the ſame, to the which Juſtices of Aſſize do not commonly repair, ſhall have full Power and Authority by virtue of this Act to enquire, hear and determine the Offences aforeſaid, and every of them, yearly within Fifteen Days after the Feaſt of *Eaſter*, and *St. Michael* the Archangel, in like Manner and Form as Juſtices of Aſſize and *Oyer and Determiner* may do.

Chief Officers of Cities, &c. ſhall enquire of Offenders.

XXIII. Provided always, and be it ordained and enacted by the Authority aforeſaid, That all and ſingular Archbiſhops and Biſhops, and every of their Chancellors, Commiſſaries, Archdeacons and other Ordinaries, having any peculiar Eccleſiaſtical Jurisdiction, ſhall have full Power and Authority by virtue of this Act, as well to inquire in their Viſitation, Synods, and elſewhere within their Jurisdiction at any other Time and Place, to take Accuſations and Informations of all and every the Things above mentioned, done, committed or perpetrated within the Limits of their Juridictions and Authority, and to puniſh the ſame by Admonition, Excommunication, Sequeſtration or Deprivation, and other Cenfures

The Ordinary's Jurisdiction.

One Punishment
for one Offence.

Ornaments of
the Church and
Ministers.

All Laws and
Ordinances
made for other
Service void.

Censures and Proceſs, in like Form as heretofore hath been used in like Cafes by the Queen's Ecclesiastical Laws.

XXIV. Provided always, and be it enacted, That whatsoever Persons offending in the Premises shall for their Offences first receive Punishment of the Ordinary, having a Testimonial thereof under the said Ordinary's Seal, shall not for the same Offence afterwards be convicted before the Justices: And likewise receiving for the said Offence Punishment first by the Justices, shall not for the same Offence afterwards receive Punishment of the Ordinary; any Thing contained in this Act to the contrary notwithstanding.

XXV. Provided always, and be it enacted, That such Ornaments of the Church and of the Ministers thereof, shall be retained and be in Use, as was in this Church of *England* by Authority of Parliament, in the Second Year of the Reign of King *Edward* the Sixth, until other Order shall be therein taken by the Authority of the Queen's Majesty, with the Advice of her Commissioners appointed and authorized under the Great Seal of *England* for Causes Ecclesiastical, or of the Metropolitan of this Realm.

XXVI. And also, That if there shall happen any Contempt or Irreverence to be used in the Ceremonies or Rites of the Church, by the misusing of the Orders appointed in this Book, the Queen's Majesty may, by the like Advice of the said Commissioners or Metropolitan, ordain and publish such further Ceremonies or Rites, as may be most for the Advancement of God's Glory, the Edifying of his Church, and the due Reverence of Christ's Holy Mysteries and Sacraments.

XXVII. And be it further enacted by the Authority aforesaid, That all Laws, Statutes and Ordinances, wherein or whereby any other Service, Administration of Sacraments or Common Prayer, is limited, established or set forth to be used within this Realm, or any other the Queen's Dominions or Countries, shall from henceforth be utterly void and of none Effect. [*Made perpetual by 5 & 6 Ann. c. 5. as to the Establishment of the Church.*]

C A P. III.

An Act of Recognition of the Queen's Highness Title to the Imperial Crown of this Realm.

‘ **A**S there is nothing under God (most dread Sovereign Lady)
‘ whereof we your most humble, faithful and obedient Sub-
‘ jects, the Lords Spiritual and Temporal, and Commons, in this
‘ present Parliament assembled, have, may or ought to have more
‘ Cause to rejoice, than in this only, that it hath pleased God of
‘ his merciful Providence and Goodness towards us and this our
‘ Realm, not only to provide, but also to preserve and keep, for
‘ us and our Wealths, your Royal Majesty our most rightful and
‘ lawful Sovereign Liege Lady and Queen, most happily to reign
‘ over us; for the which we do give and yield unto him from
‘ the Bottoms of our Hearts, our humble Thanks, Lauds and
‘ Praises; even so there is nothing that we your said Subjects
‘ for our Parties can, may or ought towards your Highness more
‘ firmly, entirely and assuredly in the Purity of our Hearts think,
‘ or with our Mouths declare and confess to be true, than that
‘ your Majesty our said Sovereign Lady is, and in very Deed and
‘ of

‘ of most meer Right ought to be, by the Laws of God, and the
 ‘ Laws and Statutes of this Realm, our most rightful and lawful
 ‘ Sovereign Liege Lady and Queen; and that your Highness is
 ‘ rightly, lineally and lawfully descended and come of the Blood
 ‘ Royal of this Realm of *England*, in and to whose Princely
 ‘ Person, and the Heirs of your Body lawfully to be begotten,
 ‘ after you, without all Doubt, Ambiguity, Scruple or Question,
 ‘ the Imperial and Royal Estate, Place, Crown and Dignity of
 ‘ this Realm, with all Honours, Stiles, Titles, Dignities, Regalities,
 ‘ Jurisdictions and Preheminences to the same now belonging and
 ‘ appertaining, are and shall be most fully, rightfully, really and
 ‘ intirely invested and incorporated, united and annexed, as right-
 ‘ fully and lawfully, to all Intents, Construccions and Purposes, as
 ‘ the same were in the late King *Henry* the Eighth, or in the late
 ‘ King *Edward* the Sixth, your Highness Brother, or in the late
 ‘ Queen *Mary* your Highness Sister, at any Time since the Act of
 ‘ Parliament made in the Thirty fifth Year of the Reign of your
 ‘ said most noble Father King *Henry* the Eighth, intituled, *An Act*
 ‘ concerning the Establishment of the King’s Majesty’s Succession in the
 ‘ Imperial Crown of this Realm:’

35 H.8. c.1.

II. For which Causes we your said most loving, faithful and obe-
 dient Subjects, representing the Three Estates of your Realm of
England, as thereunto constrained by the Law of God and Man;
 except we should overmuch forget our Duties to your Highness;
 and to the Heirs of your Body lawfully begotten, can no less do,
 but most humbly beseech your Highness, that by the Authority of
 this present Parliament it may be enacted, established and declared,
 That we do recognise, acknowledge and confesse the same your
 Estate, Right, Title and Succession as is aforesaid, to be in and to
 your Highness, and the Heirs of your Body to be begotten
 throughoutly, and in the whole, and in every Part thereof, in such
 Manner and Form as before is mentioned, declared or confessed;
 and thereunto most humbly and faithfully we do submit ourselves,
 our Heirs and Posterities for ever.

III. And further do make our most hearty and humble Petition
 unto your Highness, That it may please the same, not only to ac-
 cept this our said Recognition, but also our faithful Promises, that
 we, according to our Duties, shall and will stand to, assist and defend
 your Royal Majesty, and the Heirs of your Body to be begotten,
 being Kings and Queens of this Realm, and your said Rights and
 Titles in and to the said Imperial Estate, Place, Crown and
 Dignity in all Things thereto belonging, at all Times, to the ut-
 termost of our possible Powers, and therein to spend our Bodies,
 Lands and Goods, against all Persons whatsoever, that any Thing
 shall attempt to the contrary.

The Queen’s
Title recognized,

IV. And that it may be enacted by the Authority aforesaid, That
 as well this our Declaration, Confession and Recognition, as also the
 Limitation and Declaration of the Succession of the Imperial Crown
 of this Realm, mentioned and contained in the said Act made in the
 said Five and thirtieth Year of the Reign of your said most Noble
 Father, shall stand, remain and be the Law of this Realm for ever.

Limitation of the
Crown by 35
H.8. c.1.

V. And that all Sentences, Judgments and Decrees, had, made,
 declared, set forth, published and promulged, and also as much of
 every Clause, Article, Branch, Matter or Thing contained and ex-
 pressed in any Act or Acts of Parliament, as be in any Thing re-
 pugnant,

pugnant, contrary or derogatory to this our said Confession, Declaration and Recognition, or to any Part or Parcel thereof, or contrary to the said Limitation of the Succession of the Imperial Crown, established and made by the said Act, in the said xxxv. Year of the Reign of the said late King *Henry* the Eighth, by whatsoever Power or Authority the same been or have been had or made, shall be utterly frustrate, void and of none Effect: And also shall and may be cancelled, defaced, and put in perpetual Oblivion, at your Highness Will and Pleasure, as if the same had never been had, made; declared, set forth, published or promulged.

C A P. IV.

An Act for the Restitution of the First-fruits and Tenths, and Rents reserved *nomine Decimæ*, and of Parsonages impropriate, to the Imperial Crown of this Realm.

IN their most humble wise beseech your most excellent Majesty, your faithful and humble Subjects the Lords Spiritual and Temporal, and the Commons, of this your Realm, in this present Parliament assembled, That where in the Parliament of your most Noble Father of famous Memory, King *Henry* the Eighth, holden at *Westminster* upon Prorogation the Third Day of *November* in the Six and twentieth Year of his prosperous Reign, it was enacted, ordained and established by the Authority of the same Parliament, amongst other Things, That his Highness, his Heirs and Successors, Kings of this Realm, should have and enjoy from Time to Time, to endure for ever, of every such Person and Persons, which at any Time after the First Day of *January* then next ensuing should be nominated, elected, preferred, presented, collated, or by any other Means appointed to have any Archbishoprick, Bishoprick, Abbacy, Monastery, Priory, College, Hospital, Archdeaconry, Deanry, Provostship, Prebend, Parsonage, Vicarage, Chantry, Free Chapel, or other Dignity, Benefice, Office or Promotion Spiritual within this Realm, or elsewhere within any of the King's Dominions, of what Name, Nature or Quality soever they were, or to whose Foundation, Patronage or Gift soever they did belong, the First-fruits, Revenues and Profits for One Year of every such Archbishoprick, Bishoprick, Abbacy, Monastery, Priory, College, Hospital, Archdeaconry, Deanry, Provostship, Prebend, Parsonage, Vicarage, Chantry, Free Chapel, or other Dignity, Benefice, Office or Promotion Spiritual aforesaid, whereunto any such Person or Persons should after the said First Day of *January* be nominated, elected, preferred, presented, collated or by any other Means appointed: And that every such Person and Persons, before any actual or real Possession, or meddling with the Profits of any such Archbishoprick, Bishoprick, Abbacy, Monastery, College, Hospital, Deanry, Provostship, Prebend, Parsonage, Vicarage, Chantry, Free Chapel, Priory or other Dignity, Benefice, Office or Promotion Spiritual, should satisfy, content and pay, or compound or agree to pay to the King's Use at reasonable Days, upon good Sureties, the said First-fruits and Profits for one Year:

II. And it was further enacted by the Authority aforesaid, That the First-fruits of Benefices, before that Time accustomed to be paid to the Bishop of *Norwich* within his Diocese, and to the Archdeacon

26 H. 8. c. 3.
§ 2.

First-fruits.

26 H. 8. c. 3.
§ 6.

Archdeacon of *Richmond*, within his Archdeaconry, or any other Person or Persons within this Realm, or any other the King's Dominions, should from the said First Day of *January* cease and be extinct; and no longer be paid, but only to the King's Highness, his Heirs and Successors, in such Form as is before mentioned:

III. And further it was enacted by the Authority aforesaid, ^{Tenth.} That the King's Majesty, his Heirs and Successors, for more Aug- ^{26 H. 8. c. 3.} mentation and Maintenance of the Royal Estate of his Imperial ^{§ 9.} Crown, should yearly have, take, enjoy and receive, united and knit to his Imperial Crown for ever, one yearly Rent or Pension, amounting to the Value of the Tenth Part of all the Revenues, Rents, Fermes, Tithes, Offerings, Emoluments, and of all other Profits, as well called Spiritual as Temporal, appertaining or belonging, or that from thenceforth should belong to any Archbishoprick, Bishoprick, Abbacy, Monastery, Priory, Archdeaconry, Deanry, Hospital, College, House Collegiate, Prebend, Cathedral Church, Collegiate Church, Conventual Church, Parsonage, Vicarage, Chantry, Free Chapel, or other Benefice or Promotion Spiritual, of what Name, Nature or Quality soever they were, within any Diocese of this Realm, or in *Wales*; the said Pension or annual Rent to be yearly paid for ever, to the said late King, his Heirs and Successors, at the Feast of the Nativity of our Lord God, and the First Payment thereof to begin at the Feast of the Nativity of our Lord God, which should be in the Year of our Lord God 1535, and to be paid yearly by such as should be appointed to have the Collection thereof, before the First Day of *April* next following after the said Feast of the Nativity of our Lord God, as in the said Act more plainly it doth appear:

IV. And where also one other Act was made and established in ^{26 H. 8. c. 17.} the said Parliament the said Twenty sixth Year, That no Farmour of Spiritual Persons should be compelled or charged to pay for their Lessors First-fruits or yearly Pension for the Tenth granted unto the King's Highness, notwithstanding any Covenant, Contract, Bond or other Thing made to the contrary, as by the same Act more plainly appeareth.

V. And where also at one other Session of the same Parliament, holden by Prorogation at *Westminster* in the Twenty seventh Year of the Reign of your said Father, one other Act was made and established, That the King's Spiritual Subjects should be deducted and allowed of the Tenth of their Spiritual Promotions for that Year for which they should pay the First-fruits, as in the said Act also more at large appeareth.

VI. And where also in one other Parliament of the said late ^{28 H. 8. c. 11.} King, holden at *Westminster* in the Twenty eighth Year of his ^{§ 3.} Reign, amongst other Things, it was enacted and ordained, That the Year in which the First-fruits of every Benefice and Spiritual Promotion should be paid, should begin and be accounted immediately after the Avoidance thereof: And that the Tithes, Commodities, Revenues, Casualties and Profits thereof (Chantries only except) in the Time of Vacation, should belong and assere to the next Incumbent, towards the Payment of the First-fruits; as by the same Act more at large appeareth.

VII. And where also in one other Parliament, holden upon ^{31 H. 8. c. 20.} Prorogation at *Westminster* in the Thirty second Year of the Reign ^{§ 5.} of

§ 7.

of the said late King, one Act was made and established, That Bishops upon their Accounts of and for the said yearly Tenth should be discharged by their Oaths, of Payment of such Sum or Sums of Money of the said annual Rent or Tenth, as they could not lawfully levy : And also an Order appointed how the King should be answered of the Tenth of any Benefice and Spiritual Promotion, omitted in the Original or former Certificate of Benefices and Spiritual Promotions made in the Exchequer ; as by the same Act last mentioned more at large appeareth.

32 H. 8. c. 45.

VIII. And where also in the same Session and Parliament holden in the said Thirty second Year of the Reign of your Highness said Noble Father, and by Authority of the same Parliament, one Court was erected, established and made, for the better answering of the said First-fruits and Tenths unto the King, called *The Court of First-fruits and Tenths* ; as in the same Act of erection thereof more fully appeareth.

32 H. 8. c. 47.

IX. And where also in the same Session and Parliament one other Act was made, whereby the Bishop of *Norwich* for the Time being (being before that discharged from the Collection of the Tenth within his Diocese) should be charged and chargeable for ever, for and with the Collection of the same Tenth within his Diocese, and make Payment thereof, as other Bishops should or ought to do within their Diocesses ; as by the same Act more plainly appeareth.

34 & 35 H. 8.
c. 2.

X. And where also in one other Parliament of the said late King, holden at *Westminster* upon Prorogation in the Thirty fourth Year of his Reign, one Act was established and made concerning Collectors and Receivers, to make Payment of their Receipts within Three Months next after the same should be due and paid to the King's Use, under certain Penalties therein expressed ; as by the same Act more at large appeareth.

34 & 35 H. 8.
c. 17. § 3.

XI. And where also in the same Session and Parliament it was enacted and established, That the new erected Bishops of *Chester*, *Gloucester*, *Peterborough*, *Bristol*, *Oxford*, and their Successors for ever, should pay their Tenths reserved upon their Letters Patents on their several Erections, only in the said Court of the First-fruits and Tenths for ever ; as by the same Act more at large appeareth.

37 H. 8. c. 21.
§ 3.

XII. And where also in the Parliament of the said late King, holden at *Westminster* in the Thirty seventh Year of his Reign, one Act, intituled, *An Act for the Union of Churches not exceeding the Value of Six Pound*, was established and made, wherein is contained a Saving to the King of the First-fruits and Tenths of all Churches and Chapels not exceeding the Value of Six Pound, that then were or from thenceforth should be united and consolidated in one ; as in the same Act and Saving more largely appeareth.

2 & 3 E. 6. c. 10.
§ 3.

XIII. And where also in the Parliament of your Highness dearest Brother of worthy Memory, King *Edward* the Sixth, holden at *Westminster* upon Prorogation in the Second Year of his Reign, one Act was made, That by the Certificate of the Bishop of any Diocese within this Realm, or any of the Dominions of the same, of Recusance or Non-payment of any Tenth of any Benefice or Spiritual Promotion, the Incumbent should lose but that Benefice or Promotion only ; as by the same Act more plainly appeareth.

XIV. And where also in one other Parliament of the said late King Edward, holden at *Westminster* in the Seventh Year of his Reign, one Act was made and established, declaring how and in what Sort the Under-Collectors of the Tenth in every Diocese, appointed by the Bishop, should be bound to discharge the Bishops of that Collection, and a longer Day given for the Payment of the Tenth: And how the King should be answered of the Tenth for the Time of Vacation of every Benefice and Spiritual Promotion, and that the Patents of the Collection of Tenths should be good only during the Incumbency of the Grantors; as in the same Act more at large is contained.

XV. And where also in the Second Session of Parliament of our late Sovereign Lady Queen Mary, your Majesty's dearest Sister, holden at *Westminster* in the First Year of her Reign, one Act was made and established, whereby full Power and Authority was given and appointed unto her Highness, at her Will and Pleasure to alter, change, unite, transpose, dissolve or determine, as well the said Court of First-fruits and Tenths, as the Court of Augmentations of the Revenues of the King's Crown, and other Courts therein expressed, and to reduce the same Courts, or any of them, into One, Two, or more Court or Courts, or to unite and annex the said Courts or any Two or more of them together, or to any other of Her Majesty's Courts of Record, as to her it should be thought most convenient and best; for the better, sure and more speedy answering of her yearly Revenues, Casualties, and Profits, then answerable in the said Courts, or any of them, as in the same Act more at large is expressed: By Vigour and Authority of which Act, the said late Queen by her Grace's Four several Letters Patents, whereof Two bear Date the Three and Twentieth Day of *January* in the First Year of her Reign, and the other Two, the Four and twentieth of *January* in the same Year, did not only dissolve, determine and extinguish the said Courts, commonly called and intituled, *The Court of the Augmentations and Revenues of the King's Crown, and the Court of the First-fruits and Tenths*, and the Jurisdiction and Authority thereof; but also did unite, transpose and annex the said Courts of Augmentation and Revenues of the King's Crown, and of the First-fruits and Tenths so dissolved, to the Court of the Exchequer, there to be and continue as a Member and Parcel of the same Court of the Exchequer; and did appoint all and singular the Revenues, Casualties, Profits and Hereditaments then answerable in the said Courts, to the Order, Rule, Survey and Governance of the said Court of the Exchequer, there to be answered and accounted for ever, in such Order, Manner and Form, as in the said Letters Patents, and in Two Schedules unto the said Letters Patents annexed, is mentioned and declared, as by the Tenor and Purport of the said Letters Patents and Schedules signed with her Highness's Hand, more plainly may appear.

Queen Mary dissolved Courts of First-fruits, &c.

and annexed them to the Exchequer.

26 H. 8. c. 3.

XVI. By reason of all which said Premises, not only the said perpetual Revenues of the First-fruits and Tenths granted by the said Act in the Twenty sixth Year of the Reign of your Highness most Noble Father, in Augmentation and Maintenance of the Crown of this Realm, but also the Tenths and yearly Rents reserved *nomine Decime*, by any Letters Patents of your said Noble Father, since the said Six and twentieth Year of his

his Reign, and of your said dearest Brother and Sister, or of any of them, made to any Bishop and his Successors, or to any Cathedral Church, Dean and Chapter, College or any other Ecclesiastical and Spiritual Person or Persons, or Corporations, and their Successors for ever; and also all and every the Rents, Revenues, Issues and Profits of all and singular Rectories, Parsonages and Benefices impropriate, Glebe Lands, Tithes, Oblations, Penfions, Portions and other Profits and Emoluments Ecclesiastical and Spiritual to the same belonging, being in the Hands and Possession of your said dearest Sister, at the said Four and twentieth Day of *January*, were ordered, answerable and accounted for in the said Court of the Exchequer, and were therein well and justly answered and paid unto her Highness Use and Behoof like as the same had been unto the said Two Noble Kings her said Father and Brother by the Space of Twenty Years, without Grief or Contradiction of the Prelates and Clergy of the Realm, to the great Aid, Relief and Supportation of the inestimable Charges of the Crown of this Realm, which daily since the Time of the making of the said First Act have increased and grown more and more.

XVII. Which Thing although the said late Queen might and did manifestly feel and perceive to be most true, yet she upon certain zealous and inconvenient Respects, not sufficiently nor politickly enough weighing that Matter, nor having due Consideration and Regard to the Maintenance and Upholding, and good Continuance of the Estate of the Imperial Crown of this Realm in Succession, which rather needed an Augmentation, than any Diminution, procured and willed an Act of Parliament to be made and provided in the Second and Third Years of the Reign of King *Philip* her late Husband and her, That all Payments of the said First-fruits should from thenceforth cease and be clearly extinct and determined for ever: And that as well all the said Benefices and Spiritual Promotions, as the Possessors, Owners and Incumbents thereof, and their Successors, should from and after the Eighth Day of *August* in the said Second and Third Years, and so from thenceforth at all Times for ever, be clearly exonerate, acquitted and discharged against the said late King *Philip* and Queen *Mary*, her Heirs and Successors, of and from the Payment and Payments of all and every the said First-fruits, in as ample and large Manner and Form, as they were before the making of the said Act of the First and original Grant thereof, in the said Six and twentieth Year of the Reign of the said late King your Noble Father, and as though the same had never been had ne made.

XVIII. And further, That neither the said perpetual Pension, annual Rent or Tenth, granted by the said First Act of the Six and twentieth Year of the said Noble King *Henry*, nor also the said several annual Rents or Tenths reserved *nomine Decime* by and upon the said several Letters Patents of the said late King and Queen, made to Spiritual Persons and Corporations, as is aforesaid, or any of them, from and after the Feast of *St. Michael* the Archangel then last past, should any more be paid or payable unto the said late King *Philip* and Queen *Mary*, her Heirs or Successors; but that as well all the said Archbishopricks, Bishopricks, and other Benefices, Dignities, Deans and Chapters, Col-

By 2 & 3 P. &
M. c. 4. Pay-
ment of First-
fruits, &c.
ceased.

26 H. 8. c. 3.

Perpetual Pen-
sion, &c. to
cease.

leges, Corporations and Spiritual Promotions afore said, as also the Possessors, Owners, Proprietaries and Incumbents of the same, and their Successors, from and after the said Feast of *St. Michael* the Archangel, should be clearly exonerate, acquitted and discharged of and from the Payment thereof, against them and the Heirs and Successors of the same late Queen for ever.

XIX. And furthermore, That the said late King *Philip* and Queen *Mary*, her Heirs and Successors, from and after the said Feast of *St. Michael* the Archangel, should not receive, perceive, take and enjoy any the Issues, Revenues, Profits or Commodities of the said Rectories, Parsonages, Benefices, Glebe Lands, Tithes, Oblations, Pensions, Portions and other Profits and Emoluments Ecclesiastical and Spiritual afore said, or of any of them, or of the Reversion or Reversions of them or any of them: But in and by the said Act the same late King and Queen clearly gave over, renounced and relinquished, as well the said Rectories, Parsonages, Benefices, Glebe Lands, Tithes, Oblations, Pensions, Portions and other Profits and Emoluments Ecclesiastical and Spiritual afore said, and every of them, and the Reversion and Reversions of them and every of them, and all their Right, Title, Use, Interest and Demand of, in or to the same, from them and the Heirs and Successors of the said late Queen for ever, as also the said perpetual Pension, annual Rent and Tenth, and also the said yearly Rents reserved *nomine Decime* upon the said several Letters Patents, and all their Right, Title and Interest which they or either of them, or the Heirs or Successors of the said late Queen, had or might have had in or to the same.

K. P. & Q.
Mary not to
take Profits,
&c. of certain
Rectories, &c.

XX. The same yearly Pension, Tenths, yearly Rents, Parsonages, Emoluments and Profits to be perceived, taken, received, counted, employed, used and disposed by the late Reverend Father in God *Reginald Pool*, late Cardinal and Legate, and such other Persons as he should name and appoint, and such other as were specially limited in the said Act, to and for certain Uses, Purposes and Intents mentioned in the same Act, with divers Provisions and a Saving in the same expressed and contained, as by the same more at large appeareth.

XXI. We your said humble and obedient Subjects, the Lords Spiritual and Temporal and Commons, in this your present Parliament assembled, calling to our Remembrance the huge, innumerable and ineluctable Charges of the Royal Estate and Imperial Crown of this Realm, and how the same is left unto your Majesty at this your First Entry thereunto, greatly diminished, as well by Reason of the said Act made in the said Second and Third Years of the said King *Philip* and Queen *Mary*, as otherwise, do conceive at the Bottom of our Hearts great Sorrow and Heaviness, as Subjects careful for their Natural and Liege Sovereign Lady, upon whom dependeth the Surety, worldly Joy and Wealth of us all; and being no less affected towards your Majesty's most Royal Person, and the Preservation and Maintenance of the same, and of the Estate and Succession of your Majesty's said Crown, than were the First Grantors of the said First-fruits and Tenths towards your Highness most Noble Father, and his said Royal Estate, at the Time of their said Grant thereof to him made, do account of very Right and good Congruence no less than our most bounden Duty, to move your

2 & 3 P. & M.
c. 4.

'Highness,' and therewith do most humbly beseech the same, That the great Dishonour and Decay committed and done to the Crown, and Estate Royal of this your Realm, and the Succession thereof, by Reason of the said Act made in the said Second and Third Years of the Reign of the said King *Philip* and Queen *Mary*, may at this present Parliament be reformed and avoided, and that with your Highness Favour and Royal Assent, it may be enacted, ordained, established and provided by Authority of this Parliament, in Manner and Form hereafter ensuing:

2 & 3 P. & M.
c. 4. repealed,

First-fruits
revived.

XXII. That is to say, That the said Act made in the Second and Third Years of the Reign of the said late King *Philip* and Queen *Mary*, and all Articles, Clauses and Sentences therein contained, shall be, from and after the First Day of this present Parliament, utterly and clearly repealed, made void, and of no Force ne Effect; and all Authorities and Liberties granted, limited and appointed in and by the said Act to the said late Cardinal *Pool*, or made or derived, by Force, Strength or Colour of the same Act, by or from the said late Cardinal, to any other Person or Persons, Bodies Politick or Corporate, to cease and be utterly void and determined: And that the said First-fruits, and all Payments thereof, from and after the said First Day of this Parliament shall be revived, and have their Being and Continuance again, and be deemed and adjudged to all Intents, Constructions and Purposes, in the Queen's Highness most Royal Person, her Heirs and Successors, and united and annexed to the Imperial Crown of this Realm, of and in such like and the same Estate, Interest, Title, Quality, Sort, Degree and Condition, and in as ample and beneficial Manner and Form, as the same was or were in the Person and Possession of the said late Queen *Mary*, at and before the said Eighth Day of *August*, in the said Act of Extinguishment, mentioned and expressed; the same Act of Extinguishment, or any Letters Patents, or any other Matter or Thing had, done or suffered by the said late Queen to the contrary thereof in any wise notwithstanding.

Tenths revived
and Rents re-
served upon
Patents and Pro-
motions Ecclesi-
astical.

XXIII. And also that as well so much of the said perpetual and annual Tenth and Pension granted by the said Act made in the said Twenty sixth Year of the Reign of the said late King *Henry* the Eighth, as also so much of the said yearly Rents reserved upon the said several Letters Patents *nomine Decime*; and also so many of the said Rectories, Parsonages and Benefices impropriate, Glebe Lands, Tithes, Oblations, Pensions, Portions and other Profits and Emoluments, Ecclesiastical and Spiritual aforesaid, and the Reversion and Reversions thereof, and all Rents, Emoluments and Profits incident to the same, as were in the Hands and Possession of the said late Queen *Mary*, at and before the said Eighth Day of *August*, shall, from the Feast of *St. Michael* the Archangel last past, be vested, adjudged and deemed, actually and really in the Seisin and Possession of our said Sovereign Lady Queen *Elizabeth*, her Heirs and Successors, to all Intents, Constructions and Purposes, of and in such like and the same Estate, Interest, Order, Degree, Quality, Sort and Condition, and as fully, wholly, largely and beneficially, as the same were in the Seisin and Possession of the said late Queen *Mary*, at and before the same Eighth Day of *August*: And that as well the said First-fruits and Tenths, and the Order thereof, as also the said annual Rents reserved *nomine Decime*, and the said Rectories,

tries, Parsonages, Benefices, Glebe Lands, Tithes, Oblations, Pensions, Portions and other Profits and Emoluments, Ecclesiastical and Spiritual aforesaid, and every of them, and the Reversion and Reversions of them, and of all Rents and Profits unto the same or any of them incident or belonging, shall be within the Order, Survey, Rule and Governance of the said Court of the Exchequer, in every Degree, Sort and Condition, as they were at and before the said Eighth Day of *August*; the said Act made in the said Second and Third Years, or any other Matter or Thing, to the contrary thereof notwithstanding.

XXIV. And that so much of all and every the said Acts and Statutes first recited, or of any other Act or Statute touching or concerning the Order, Levying, true Answering and Payment, or Qualification of the said First-fruits and Tenths, and of the said Rectories, Parsonages and Benefices impropriate, and of the Rents, Revenues, Emoluments and Profits thereof, and of all other the Premises, and also the Charge, Discharge or Alteration of them or any of them, or any Matter or Thing in any wise founding or tending thereunto, which were standing and being in Force, Effect and unrepealed, at and before the said Eighth Day of *August* (except only the said Acts of the Erections of the Courts of Augmentations, and First-fruits and Tenths) shall be, remain and continue in their full and perfect Strengths and Forces, and be observed and put in due Execution, according to the Tenours and Purports of the same and every of them.

Statutes revived.

XXV. And that the Queen's Majesty, her Heirs and Successors, by Authority of this present Parliament, shall from the said First Day of this present Parliament have, hold, possess and enjoy for ever, the Advowsons, Gifts and Patronages of all Vicarages belonging or incident to any of the said Rectories and Parsonages impropriate, in the same Sort, Quality, Condition and Degree, to all Intents and Purposes, as the same were in the Person and Possession of the said late Queen *Mary*, at and before the said Eighth Day of *August*; any Thing or Act done by the same late Cardinal, or any Grant or Grants by Letters Patents made by the said late Queen *Mary*, of the said Advowsons and Patronages or any of them, to any Ecclesiastical or Spiritual Person or Persons, or any Spiritual Corporation, to the contrary in any wise notwithstanding:

The Queen shall have the Advowson of Vicarages belonging to Rectories, &c.

XXVI. Saving to all and every Person and Persons, Bodies Politick and Corporate, and their Heirs, Executors, Successors and Assigns and every of them, (other than such Persons as be mentioned and named in any Letters Patents made by the said Queen *Mary* the said Eighth Day of *August*, or at any Time thence, or claiming only by or under the Authority and Strength of the same Act or Letters Patents or any of them) all such Right, Title, Interest, Estate, Offices, Leases, Grants, Annuities, Pensions Fees, Corodies, Rents and other yearly Profits and Commodities, as they or any of them ought or should have had, perceived or enjoyed, of, in or by Reason of any the Parsonages, Rectories or of any other the Premises, in case the said former Act now repealed, and this present Act of Repeal, had never been had ne made; any Thing in the same Acts or either of them contained or founding to the contrary thereof in any wise notwithstanding.

General Saving.

How Pensions
shall be paid.

XXVII. And be it further enacted by the Authority aforesaid, That from and after the said Feast of *St. Michael* the Archangel last past, and so from thenceforth from Time to Time, the said Pensions, Annuities, Rents, Corodies, Fees and other yearly Payments, shall be paid and payable only by our said Sovereign Lady, her Heirs and Successors, at the Receipt of the Exchequer, or in such other Places, as the Queen's Majesty, her Heirs and Successors shall appoint, to all and every Person and Persons that ought to have and enjoy the same, in such Sort, Order and Form, as the same should or ought to have been paid and payable, in case the said Act now repealed had never been had ne made; any Thing therein, or else in this Act contained to the contrary thereof, in any wise notwithstanding.

Arrears of
Rents, &c. to
be paid to the
Queen,

XXVIII. And be it further enacted by Authority aforesaid, That all and singular Incumbents, Proprietaries, Tenants, Farmers, Lessees and Occupiers of the Premises or any Part thereof, their Heirs, Executors and Assigns, which the said First Day of this present Parliament were behind, or in any Arrearages of and with the Rents, Farms, Tenths or other Revenues, Profits or Duties, by them or any of them due and payable, for or by Reason of the Premises or any of them, shall, and may be by the Authority of this Act severally chargeable, accountable and answerable to the Queen's Majesty, her Heirs and Successors, in and at the said Court of the Exchequer, of and for the same Arrearages and Duties as other Accomptants be and shall be in the same Court; any Thing in the said Act now repealed, in this Act, or any other Matter or Cause to the contrary thereof, in any wise notwithstanding.

a & 3 P. & M.
c. 4.

What Vicarages
not to pay First-
fruits.

XXIX. And yet nevertheless the Queen's most excellent Majesty, at the humble Request of her said Subjects, of her abundant Grace and Bountifulness, is pleased and contented that it be enacted by the Authority aforesaid, That all and singular Vicarages not exceeding the Yearly Value of Ten Pounds after the Rate and Value upon the Records and Books of the Rates and Values for the First-fruits and Tenths now remaining in the Exchequer or that shall hereafter come and remain in the same Court; and also all and singular Parsonages not exceeding the Yearly Value of Ten Marks after the like Rate and Valuation, and the Incumbents thereof and of every of them, their Executors, Administrators, Successors and Sureties and every of them, from the said Feast of *St. Michael* the Archangel last past, shall be free and clearly discharged and acquitted for ever against the Queen's Majesty, her Heirs and Successors, of and from the said First-fruits; any Thing in the said Act of First-fruits and Tenths made in the said Six and twentieth Year of the Reign of the said late King *Henry* the Eighth, or in this Act of Repeal or any other Act or Acts before recited to the contrary thereof in any wise notwithstanding. [See 5 & 6 Ann. c. 24.]

What Parson-
ages.

26 H. 8. c. 3.

Charge upon
Incumbent liv-
ing Half a Year
after Avoidance.

XXX. Provided always, and be it enacted by the Authority aforesaid, That if any Incumbent of any such Promotion Spiritual as is aforesaid, charged or chargeable to the Payment of the said First-fruits, happen to live to the End of One Half Year next after the last Avoidance of the same Promotion Spiritual, so as he hath received, or without Fraud or Covin might lawfully have received or enjoyed, the Rents or Profits of that Half-Year, and before the End of the other Half-Year then next following shall hap-

pen to die or to be lawfully evicted, removed or put from the said Promotion Spiritual by Judgment in any Action at the Common Law, without Fraud or Covin, that then every such Incumbent, his Heirs, Executors, Administrators and Sureties shall be charged and chargeable but only with the Fourth Part of the First-fruits due to be paid for such his Promotion, and with no more of the said First-fruits; any Thing in this Act contained, or any Bond or Writing to be made for the Payment of the said First-fruits, or any other Matter or Cause to the contrary notwithstanding.

XXXI. And if it shall happen any such Incumbent to live by the Space of One whole Year next after the last Avoidance of the same Spiritual Promotion, and after and before the End of One Half Year then next following shall fortune to die, or to be lawfully evicted, removed or put from the said Promotion Spiritual by Judgment in any Action at the Common Law, without Fraud or Covin, that then every such Incumbent, his Heirs, Executors, Administrators and Sureties shall be charged and chargeable but only with the Moiety and One-Half of the First-fruits due to be paid for such his Promotion Spiritual, and with no more of the same First-fruits; any Thing in this Act contained, or any Bond or Writing obligatory to be made for the Payment of the same First-fruits or any other Matter or Cause to the contrary notwithstanding.

Living a whole Year, &c.

XXXII. And if it shall happen any such Incumbent to live to the End of One whole Year and an Half next after the last Avoidance of such Promotion Spiritual, and after and before the End of Six Months then next following shall fortune to die, or to be lawfully evicted, removed or put from the said Promotion Spiritual by Judgment in any Action at the Common Law, without Fraud or Covin, that then every such Incumbent, his Heirs, Executors, Administrators and Sureties shall be charged and chargeable but only with Three Parts of the First-fruits of the same Promotion Spiritual, in Four Parts to be divided, and with no more; any Thing in this Act contained, or any Bond or Writing obligatory had or made for the Payment of the said First-fruits or any other Matter or Cause to the contrary notwithstanding.

Living a Year and a Half, &c.

XXXIII. And if it shall happen any such Incumbent to live to the End of Two whole Years next after the last Avoidance of the same his Promotion Spiritual, and not to be lawfully evicted, removed or put from the same Promotion Spiritual as is aforesaid, that then such Incumbent, his Heirs, Executors, Administrators and Sureties shall content and pay to our said Sovereign Lady the Queen, her Heirs and Successors, the whole First-fruits due to be paid for the same Promotion Spiritual, according to the Estatute aforesaid. [As to Bonds for securing these Payments, 2 & 3 Ann. c. 11. § 6.]

Living Two whole Years after, &c.

XXXIV. Provided also, and be it enacted, That all Grants, Immunities and Liberties given to the Universities of Cambridge and Oxford, or to any College or Hall in either of the said Universities, and to the Colleges of Eaton and Winchester, and unto every or any of them, by our late Sovereign Lord King Henry the Eighth, or any other the Queen's Highness Progenitors or Predecessors, or by Act of Parliament, for or touching the Release or Discharge of the said First-fruits and Tenths, or any Part thereof, shall be always and remain in their full Strength and Vir-

Grants made to the Universities, &c.

the: And that all such lawful Conveyances and Assurances in the Law as were had or made before the Making of this Act, to either of the said Universities of *Oxford* or *Cambridge*, or to any College or Hall within any of them, by what Name or Names soever they, or any of them be incorporated or named, of any of the said Parsonages or Benefices impropriate, or of any Part of the same, or of any Patronages, for the Maintenance of Students or Learning, shall be as good and effectual in the Law to all Intents, Constructions and Purposes, as though this Act had never been made.

Chapel of St.
George, Wind-
for.

XXXV. And be it further enacted by the Authority afore-
said, That the Dean and Canons of the Free Chapel of *St. George*
the Martyr, within the Castle of *Windfor*, and all the Possessions
and Hereditaments of the same Free Chapel, Deanry and Canons,
by whatsoever Name or Names they be incorporated or known,
shall be exonerated, and shall stand for ever discharged of the
Tenths and First-fruits before mentioned; any Thing in this Act,
or any other Act or Statute before mentioned, to the contrary
thereof in any wise notwithstanding.

Leases for Years,
or Three Lives.

XXXVI. Provided also, and be it enacted, That all Leases
made before the xx. Day of *December* last past, for xxi. Years, or
Three Lives at the most, by any Person or Persons, Bodies Politick
or Corporate, being lawfully seized of or in any of the said
Parsonages impropriate, or of or in any other the Premises, wont,
commonly, to be let or set to Ferm, then being out of Lease, or
whereof there was not, at the Time of the making of the said
Lease or Leases, any former Lease to endure above One Year then
to come at the most, and upon which new Lease or Leases the old
yearly Rent accustomedly wont to be paid for the same, by the
Space of Twenty Years last past before the making of such Lease
or Leases, or more yearly Rent is reserved and payable during the
said Term; and all other lawful Grants by them or any of them
heretofore made of any Office or Offices in old Time wont com-
monly to be granted; and all Gifts and Grants of any Parsonage
or Parsonages impropriate, heretofore belonging to the Archdea-
conry of *Wells* in the County of *Somerfet*, or to the Incumbent of
the same Office or Dignity, or to the Incumbent of the same lately
given and restored, shall be as good and effectual in the Law, as
though this Act, or any Thing contained therein, had not been had
or made.

Grants of Offices
wont to be
granted.

Archdeacon of
Wells charged
with First-fruits.

XXXVII. And be it further enacted by the Authority afore-
said, That the said Archdeaconry, and all Rectories and Spiritual
Promotions given, assigned, limited or appointed to the same, and all
and every Incumbent and Incumbents which hereafter shall be
presented, collated, preferred and admitted unto the said Archdea-
conry, and the Rectories and Spiritual Promotions thereunto
limited and appointed, or appertaining and belonging, shall stand,
remain, and be charged and chargeable with the Payment of the
First-fruits and Tenths for the same to the Queen's Highness, her
Heirs and Successors, in such like Manner and Form as other Spi-
ritual Promotions, and the Incumbents of the same, be and shall be
charged and chargeable by this Act, or by any other Act or Statute
before specified.

Benefices, &c.
within the Order
of the Duchy
Court.

XXXVIII. Provided always, and be it further enacted by the
Authority afore-
said, That so many of the said Rectories, Parsonages
and

and Benefices impropriate, Glebe Lands, Tithes, Oblations, Pen-
 sions, Portions, and other Profits and Emoluments Ecclesiastical
 and Spiritual, and every of them, and the Reversion and Reversions
 of them, and all Rents and Profits unto the same or any of them
 incident or belonging, as were at and before the said Eighth Day
 of *August* in the Hands and Possessions of the said late Queen *Mary*,
 and within the Survey, Rule and Order of the Court of the Duchy
 of *Lancaster*, shall be again within the Order, Survey, Rule and
 Government of the said Court, in such and the same Manner and
 Form to all Intents and Purposes, as they were at and before the
 said Eighth Day of *August* in the said Second and Third Years of 2 & 3 P. & M.
 the Reign of the said late King and Queen; any Thing in this c. 4
 Act, or in the said Act of the same late King and Queen, to the
 contrary thereof in any wise notwithstanding.

“ Persons presented to a Benefice before the Feast of *St. John* the
 “ Baptist, 1558, shall compound for their First-fruits before that
 “ Day. § 39. EXP.

XL. Provided also, That this Act, nor any Thing therein con-
 tained, shall not in any wise extend to charge any Hospital founded
 and used, and the Possessions thereof employed, to and for the Re-
 lief of poor People, or any School or Schools, or the Possessions
 or Revenues of them or any of them, with the Payment of
 any Tenths or First-fruits; any Thing in this Act before men-
 tioned to the contrary in any wise notwithstanding.

The Revenues
 of Hospitals and
 Schools.

C A P. V.

An Act whereby certain Offences be made Treason.

“ IF any Person shall compass or imagine to deprive the Queen or
 “ the Heirs of her Body to be begotten, being King or Queen of
 “ this Realm, from the Stile or Kingly Name of the Crown of this
 “ Realm: Or to destroy the Queen or any the Heirs of her Body,
 “ being King or Queen: Or to levy War against the Queen, or any
 “ the Heirs of her Body within her Dominions: Or to depose the
 “ Queen or any of the Heirs of her Body, &c. from the Imperial
 “ Crown of this Realm, and the same Imaginations shall utter by
 “ open Words, &c. Or shall publish, and directly say, That the
 “ Queen, during her Life, is not, or ought not to be Queen: Or
 “ that after her Death, the Heirs of her Body ought not to be
 “ King or Queen: Or that any other Person ought to be King
 “ or Queen, so long as any of the Heirs of her Body shall be
 “ in Life: Then such Offender shall forfeit to the Queen all
 “ his Goods and Chattels, and the Profits of his Lands during
 “ his Life. And if any Person or Persons shall by Writing,
 “ Printing, Overt-Deed or Act, commit any of the Offences afore-
 “ said, it shall be adjudged High Treason. EXP.

C A P. VI.

An Act for the Explanation of the Statute of seditious Words 1 & 2 P. & M.
 and Rumours. EXP. c. 3.

C A P. VII.

23 H. 8. c. 16. An Act to revive a Statute made in the Twenty third Year of the Reign of King Henry the Eighth, touching the conveying of Horses, Geldings and Mares into Scotland.

[*Repealed, 4 Jac. 1. c. 1.*]

C A P. VIII.

An Act touching Shoemakers and Curriers.

[*Repealed, 5 Eliz. c. 8. § 1. which Act (together with the present) is repealed, 18 Eliz. c. 9. § 1. 1 Jac. 1. c. 22. § 58. & c. 25. § 47. See Note to 2 & 3 E. 6. c. 9.*]

C A P. IX.

An Act touching Tanners, and the selling of Tanned Leather.

[*2 & 3 E. 6. c. 11. revived. But this Act repealed, 5 Eliz. c. 8. § 1. & 1 Jac. 1. c. 22. § 58. See Note at the End of 5 & 6 E. 6. c. 15.*]

C A P. X.

An Act that the carrying of Leather, Tallow or Raw Hides, out of the Realm for Merchandize shall be Felony.

[*Repealed, 18 Eliz. c. 9. § 1. See Note at the End of that Act.*]

C A P. XI.

An Act limiting the Times for laying on Land Merchandize from beyond the Seas, and touching Customs for Sweet Wines.

• **M**OST humbly shewing beseechen your Highness, your
 • Lords and Commons in this present Parliament assembled,
 • That where the Sums of Money paid in the Name of Customs
 • and Subsidies of Wares and Merchandizes, transported out, and
 • brought into this your Highness Realm of England, by any
 • Merchant, Stranger or Denizen, is an ancient Revenue annexed
 • and united to your Imperial Crown; and hath in the Time of
 • King Edward the Third, and other your most noble Progeni-
 • tors, amounted to great and notable Sums of Money, till of late
 • Years many greedy and covetous Persons, respecting more their
 • private Gain and Commodity than their Duty and Allegiance, or
 • the common Profit of the Realm, have and do daily, as well by
 • conveying the same their Wares and Merchandizes out of Creeks
 • and Places where no Customer is resident, as also by or through
 • the Negligence or Corruption of the Customer, Searcher or other
 • Officer, where they be resident, as by divers other fraudulent,
 • undue and subtil Practices and Devices, convey their Goods and
 • Merchandizes as well brought from the Parts beyond the Sea, as
 • transported out of this your Realm of England, without Pay-
 • ment or agreeing for the Payment of the Customs and Subsidies
 • therefore due; whereby the yearly Revenue aforesaid is very
 • much impaired and diminished, to the great Loss and Damage of
 • your Highness, and to the great Burden and Charge of your
 • loving

‘ loving Subjects, who by Occasion thereof have of late Years
 ‘ been more charged with Subsidies and Payment for the Supple-
 ‘ ment of the said Loss and Damage, than else we should have
 ‘ been :’

II. That it may therefore be enacted by the Authority of this present Parliament, That it shall not be lawful to or for any Person or Persons whatsoever, from and after the First Day of *September* next coming, to lade or put or cause to be lade or put off or from any Wharf, Key or other Place on the Land, into any Ship, Vessel, Crayer, Lighter or Bottom, any Goods, Wares or Merchandizes whatsoever (Fish taken by your Highness Subjects only excepted) to be transported into any Place of the Parts beyond the Seas, or into the Realm of *Scotland*; or to take up, discharge and lay on Land, or cause or procure to be taken up or discharged out of any Lighter, Ship, Crayer, Vessel or Bottom, being not in a Leke or Wreck, and laid on Land, any Goods, Wares or Merchandizes whatsoever (Fish taken by any of your Highness Subjects, and Salt only excepted) to be brought from any the Parts beyond the Sea or the Realm of *Scotland*, by Way of Merchandizes, but only in the Day-light; that is to say, from the first of *March* until the last of *September*, betwixt Sun-rising and Sun-setting; and from the last of *September* until the first of *March*, between the Hours of Seven in the Morning and Four at the Afternoon; and in and upon some such open Place, Key or Wharf, Places, Keys or Wharfs, as your Highness, your Heirs or Successors shall on this Side the said First Day of *September* therefore assign and appoint by virtue of your Highness Commission or Commissions, within your Grace’s Ports of *London*, *Southampton*, *Bristol*, *Westchester*, *Newcastle*, and the Suburbs of the same, and every of them; and in some open Place, Key or Wharf, Places, Keys or Wharfs in all other Ports, Creeks, Havens or Roads (*Hull* only excepted) where a Customer, Comptroller and Searcher of such Ports, Havens, Creeks or Roads, and every of them, or the Servants of any of them, have by the Space of Ten Years last past been accustomedly resident, or hereafter shall be resident; upon Pain of Forfeiture of all such Goods, Wares or Merchandizes so lade or discharged contrary to the true Meaning of this Act, or the Value thereof. [See 13 & 14 Car. 2. c. 11. § 14.]

Goods to be laden, &c. in the Day-light and in open Place.

Penalty.

III. And be it further enacted by the Authority aforesaid, That no Manner of Person or Persons after the said Day shall receive or take into any Ship, Crayer or other Vessel, any Goods, Wares or Merchandizes (except before excepted) to be transported into any Place beyond the Sea, or into the Realm of *Scotland* by Way of Merchandize; nor shall discharge and lay on Land out of any Ship, Crayer or other Vessel any Goods, Wares or Merchandizes (except before excepted) being brought from any Place beyond the Sea, or out of the Realm of *Scotland*, by Way of Merchandize, in any other Place or Places, or at any other Hours or Times than is before limited and appointed; upon Pain that the Owner and Owners, Master and Masters, or other Person or Persons which shall take Charge or Guiding of any such Ship, Crayer or Vessel, or of the Merchandize and Goods during and for that Voyage, shall forfeit and lose for every such Offence C. li. of lawful Money of *England*.

At what Times, &c. Master of Ship shall receive, &c. Loading.

Penalty.

IV. And

Master of Ship
to give Notice of
his Departure.

Oath.

Penalty.

Discharging Ship
before certifying
Officer.

Penalty.

Goods to be
entered in the
Owner's Name
only.

IV. And be it further enacted by the Authority aforesaid, That no Master, Shipper or Purser, or other Person or Persons taking Charge of the Voyage, or of the Merchants Goods, shall after the said Day receive or take into any Ship, Crayer or other Vessel, any Goods, Wares or Merchandize (except before excepted) to be carried or transported into any of the Parts beyond the Sea, or into the Realm of *Scotland*, before he shall have signified to the Customer of the Port where he ladeth, and other Officers there, in the open Custom-house, if any such be there, or else where the said Officers, their Deputies or Servants, or any of them, be or shall be usually resident, that he intended to lade, and to what Place he intendeth to pass; nor shall, after his or their full Lading, depart out of the Port, Creek or Stream, where he shall so lade, before he do in like Manner signify unto the Customer and other Officers, as is aforesaid, of his Lading, and what Merchants and other Persons shall have Lading with him, or in his Ship, Crayer, Vessel or Bottom, and further truly to answer to such Questions as shall be ministered to him or them by the Customer or other Officer, concerning such Wares or Merchandizes as he shall have laden, being examined upon his or their Oath, or otherwise, in the open Custom-house or otherwise, as is aforesaid, upon Pain to forfeit for every such Default not truly advertising nor answering, as is aforesaid, C. li.

V. And be it further enacted by the Authority aforesaid, That no Owner, Master, Purser or other Person taking charge of any Ship, Crayer, Vessel or Bottom, wherein any Goods, Wares or Merchandizes (except before excepted) shall be laden and brought from any the Parts beyond the Sea, or the Realm of *Scotland*, shall after the said Day discharge into any Lighter or Bottom, and lay on Land, or procure, cause or willingly suffer to be discharged into any Lighter or Bottom, and to be laid on Land out of such Ship, Crayer, Vessel or Bottom, any Goods, Wares or Merchandize whatsoever, before such Owner, Master, Purser or other Person or Persons taking Charge of the Ship, Crayer, Bottom or Vessel, or the Merchants Goods for that Voyage, shall have signified and declared to the Customer or other Officer of the Port, Haven or Creek, where he arriveth, the Names of every of the Merchants or Laders, and shall have truly answered to such Questions and Interrogatories touching or concerning such Goods, Wares or Merchandizes, as shall be then laden in any such Ship, Vessel or Bottom, as shall be to him ministered by such Customer or other Officer, openly in the Custom-house, or in such other Places as is aforesaid, upon his or their Oath, if Need so require; upon Pain that every such Master, Purser or other Person or Persons taking Charge of such Ship, Crayer, or other Vessel for that Voyage, shall forfeit and lose for every such Default not truly advertising nor answering as is aforesaid, C. li.

VI. And be it further enacted by the Authority aforesaid, That from and after the said Day no Person, Denizen ne Stranger do take upon him to enter or do or cause to be entred into the Books of any Customer or any other Officer or Officers of any Port or Haven within this Realm, or his or their Deputy or Deputies, Servant or Servants, any Manner of Goods, Wares or Merchandize whatsoever, coming or brought into your Highness Realm from any the Parts beyond the Sea, or from the Realm of *Scotland*,

Scotland, or going or to be transported out of the same your Highness's Realm into any the Parts beyond the Sea, or into the Realm of *Scotland*, in the Name or Names of any other Person or Persons than the very true Owner or Owners of the same Goods, Wares or Merchandizes, being not sold, bargained or contracted for, to or with any other Person or Persons, before such Entry or before the Arrival of such Goods, Wares or Merchandize in the Parts beyond the Sea, upon Pain of Forfeiture of the Value of the Goods so entred.

Penalty.

VII. And be it further enacted by the Authority aforesaid, That if any Wharfinger, Cranekeeper, Searcher, Lighterman, Weigher or other Officer, pertaining to the Subsidy, Custom or Custom-house, do at any Time after the said Day consent or know any Offence or Thing to be committed or done contrary to the true Meaning of this Act or any Article therein contained, and do not within One Month next after Knowledge thereof had, disclose the same to the Chief Customer or other Officer of the Port where or within whose Office or Charge any such Offence shall be committed or done, or else to the Lord Treasurer, Chancellor, Under Treasurer or one of the Barons of the Exchequer, or the Attorney General for the Time being, shall for every such Concealment, or not disclosing such Offence as is aforesaid, forfeit and lose C. li. of good and lawful Money of *England*.

Officer of the Custom-house concealing an Offence.

Penalty.

VIII. And be it further enacted by the Authority aforesaid, That the Customer of *Hull* shall have a Servant or Deputy continually resident at the City of *York*; and every other Customer, Comptroller and Searcher of every Port, shall from and after the Day aforesaid, assign and appoint to and in every of the Places above mentioned, and in all and every Port, Creek or Road, where the Servant, or any of them, have been continually resident by the Space of Ten Years, or hereafter shall be, as is aforesaid, one able and sufficient Deputy or Servant at least; and that as well all and every of the Customers, Comptrollers and Searchers, as all and every his or their Deputy or Deputies, Servant and Servants, shall from Time to Time do his and their diligent Attendance at the Hours, Times and Places afore appointed; as well in the Custom-house as elsewhere, as it shall be most expedient and convenient for the speedy Dispatch of the Merchant, and his Goods, Wares and Merchandize, and for the due Execution of this Act, in such Things as to him or them shall appertain, without Concealment or consenting to any Thing or Things which may be to the Hurt or Damage of your Highness, your Heirs or Successors, in the just answering of your Highness's due Customs and Subsidies; upon Pain that every such Customer, Comptroller and Searcher shall forfeit and lose for every Offence by him or them committed or done, his or their several Office or Offices, and C. li. of lawful Money of *England*; the one Moiety of all which Forfeiture shall be to your Highness, your Heirs and Successors, and the other Moiety to him or them that will sue for the same in any your Highness's Courts, wherein no Effoin, Protection, Wager of Law or Injunction shall be admitted and allowed.

Where Officer shall have a Deputy in another Place.

Penalty.

IX. And where of late Years there hath been much greater Quantity of Sweet Wines brought into this Realm than in Time past hath been accustomed, which have been also brought from the same Place where the Wine commonly called *Malmsey* is brought,

‘ brought, and is of the same Nature of Grape; and never-
 ‘ theless, either by Negligence, Ignorance or Corruption of the
 ‘ Officers, there hath not been such Custom and Subsidy received
 ‘ for the same, to the Use of your Highness and your Proge-
 ‘ nitors, as is due, and ought of very Right to be paid, for such
 ‘ Sweet Wines coming through the *Straights*, commonly called
 ‘ the *Straights of Marrock*, otherwise *Mallegay*, to the great Loss
 ‘ and Hindrance of your Highness, and the Burthen of us your
 ‘ loving Subjects :’

Duty upon
Sweet Wines.

X. For the avoiding of all Ambiguities and Doubts, and to
 the Intent the Officers may more certainly know what they ought
 to receive for such Kind and Nature of Merchandize, Be it enacted
 and declared by this present Act, and by the Authority aforesaid,
 That like Custom and Subsidy is of very Right to be paid, and
 shall from henceforth be paid, for such Sweet Wines as is afore-
 said, as is and hath been accustomed to be paid for Malmesies; any
 Negligence, Non-payment, Usage or Custom to the contrary in
 any wise notwithstanding: Saving to all and every Lord Marcher,
 and other Person or Persons whatsoever, Body Politick and Cor-
 porate all and every such Right, Title and Interest, as they or
 any of them have, and of Right ought to have, in the Payment
 or having of any Franchise, Liberty, Custom and Subsidy, or
 any of them; any Thing in this Act to the contrary notwith-
 standing.

Saving to
Lord Marcher.

When Corn may
be transported
out of Norfolk
and Suffolk.

XI. Provided always, and be it enacted, That it shall be lawful
 to ship, lade and transport into the Ports beyond the Sea, all
 Manner of Corn and Grain out of the Counties of *Norfolk* and
Suffolk, and either of them, at such Places as heretofore hath been
 accustomed, and between the Hours in this Act appointed, when
 the same Corn and Grain shall not exceed the several Prices men-
 tioned in the Statute made in the Fifth and Sixth Year of our late
 Sovereign Lord King *Edward* the Sixth, intituled, *An Act against
 Regrators, Forestallers and Engrossers*, the Customs and Subsidies
 therefore due being well and truly paid; any Thing in this Act
 or any other Act or Statute to the contrary notwithstanding.
 [See Note to 5 & 6 E. 6. c. 14. and 31 G. 3. c. 30.]

5 & 6 E. 6. c. 14.

Proviso for An-
glesey, Flint and
Caernarvan.

XII. Provided always, That this Act, nor any Thing therein
 contained, be not prejudicial or hurtful to the Isle of *Anglesey*,
 the Shires of *Caernarvan* and *Flint* in *North Wales*; but that the
 Inhabitants thereof, and every of them, may receive, lade and
 discharge, according to their old ancient Uses, Customs or Liber-
 ties granted to them or any of their Predecessors, by the late King
 of famous Memory, King *Henry* the Eighth, or any other his
 Progenitors: So that they and every of them pay the Customs
 and Subsidies that shall be due, and discharge and load within
 the Times and Hours before mentioned; any Thing in this present
 Act to the contrary notwithstanding.

C A P. XII.

An Act against the deceitful Using of Linen Cloth.

‘ WHERE certain evil-disposed and deceitful Persons, using
 ‘ to buy and ingross into their Hands great Store of
 ‘ Linen Cloth, do use to cast the Pieces of Cloth over a Beam
 ‘ or Piece of Timber made for their Purpose, and do by sundry
 ‘ Devices

‘ Devices rack, stretch and draw the same both of Length and Breadth; and that done, do then with Battledoors, Pieces of Timber and Wood, and other Things, sore beat the same, ever casting thereupon certain deceitful Liquors mingled with Chalk and other like Things, whereby the said Cloth is not only made to seem much finer and thicker to the Eye than it is indeed, but also the Threads thereof be so loosed and made weak, that after Three or Four Washings it will scarcely hold together, to the great Deceit, Hindrance and Loss of the Subjects of this Realm:’ Be it therefore enacted by the Authority of this present Parliament, That if any Person or Persons shall hereafter willingly use or cause to be used the aforesaid Deceits, or any other Act or Acts, Mean or Means, to, in or with any Kind of Linen Cloth, whereby the same shall be deceitful or worse to and for the good Use thereof; that then the said Cloth shall be forfeited, and the Offender therein to be punished by One Month’s Imprisonment at the least, and shall pay such Fine as shall be assessed, for his or their Offence or Offences, by the Justices before whom he or they shall be condemned, according to the Tenor of this Act.

Deceitfully
using Linen
Cloth.

Penalty.

II. And be it further enacted by the Authority aforesaid, That all and every the Justices of *Oyer* and *Determiner*, and Justices of Assizes in all their Sessions, and all Justices of Peace in every County and Place of this Realm, or Three of them at the least, whereof One to be of the *Quorum*, shall have full Power and Authority to enquire, hear and determine the Offences aforesaid in their Sessions, by Information, Indictment, or upon the Traverse of any Presentment or Indictment found before the said Justices, or any of them.

What Justices
may determine
Offences.

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at the next Sessions of the Peace after the said Seizure (to be kept within the Shire or Place where the Seizure was made, or before Two Justices of Peace, whereof One to be of the *Quorum*) make due Information of the Offence and of the Seizure of the said Cloth; or else shall procure the Offenders to be thereof indicted at the said next Sessions after the said Seizure; and shall also be bound before the said Justices, by Recognizance or Obligation, to the Use of the Queen’s Majesty, her Heirs and Successors, in such Form as the said Justices or any of them shall think meet for the Greatness of the Matter, and to pursue the same Matter with Effect, and to give Evidence as of Right appertaineth, and also to pay and give the Moiety of all that he or they shall so recover and receive to the Sheriff or other Accomptant, to the Use of the Queen’s Majesty, her Heirs and Successors; and the One Half of all the Forfeitures and Fines of and for the Premises to be unto the Queen’s Majesty, her Heirs and Successors, and the other Moiety to him or them that shall make Information, or procure Indictments of and for the Premises, and shall follow the same with Effect.

How Informer
shall pursue his
Suit.

Penalties how
divided.

IV. And further, Be it ordained and enacted by the Authority aforesaid, That the Justices before whom any such Offence shall be tried, shall certify the same by their *Eitreat* into the *Exchequer*, at the least yearly at *Michaelmas*, as they be bound to do other their *Eitreats*; and upon that Certificate, the Barons of the

Certificate of
Eitreat into
Exchequer.

the Exchequer to have full Power and Authority to make Processes for so much thereof as by this Estatute shall appertain to the Queen's Majesty, in like Manner and Form as they only do for any other Fines and Amerciaments so certified before them.

C A P. XIII

EXP.

An Act for the Shipping in *Engliff* Bottoms.

“To continue 5 Years. 5 R. 2. Stat. 1. c. 3; 4 & 5 H. 7. c. 10.
“repealed.”

[See Note to the last mentioned Act.]

C A P. XIV.

An Act for the Continuance of the making of Woollen Cloth in divers Towns in the County of *Essex*.

[Repealed, 49 G. 3. c. 109. § 1.]

C A P. XV.

An Act that Timber shall not be felled to make Coals for the making of Iron.

What Timber, and where growing, shall not be converted to Fuel for the making of Iron.

FOR the avoiding of Destruction and Wasting of Timber, Be it enacted by our Sovereign Lady the Queen's Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That no Person or Persons hereafter shall convert or employ, or cause to be converted or employed to Coal or other Fuel for the making of Iron, any Timber-tree or Timber-trees of Oak, Beech or Ash, or of any Part thereof, of the Breadth of One Foot Square at the Stub, and growing within Fourteen Miles of the Sea, or of any Part of the Rivers of *Thames*, *Severn*, *Wye*, *Humber*, *Dec*, *Tine*, *Tee*, *Trent*, or any other River, Creek or Stream, by the which Carriage is commonly used by Boat or other Vessel to any Part of the Sea; upon Pain of Forfeiture for every such Tree, or any Part thereof, so employed or converted to Coal or other Fuel for the making of Iron as is aforesaid, Forty Shillings of lawful Money of *England*; the One Half of all which Forfeitures to be to our Sovereign Lady the Queen's Majesty, and to her Heirs and Successors, and the other Moiety to him or them that will sue for the same by original Writ, Bill, Plaint or Information, wherein no Essoin, Protection, Injunction or Wager of Law shall be admitted or allowed.

Penalty.

To what Shires, &c. Act shall not extend.

II. Provided always, That this Act shall not extend to the County of *Essex* nor to the Weild of *Kent*, nor to any of the Parishes of *Charlewood*, *Newdigate* and *Ligh*, in the Weild of the County of *Surrey*. This Act to begin and take effect from and after the Feast of the Nativity of *St. John Baptist* next coming after this Session of Parliament.

C A P. XVI.

An Act to continue the Act made against rebellious Assemblies. EXP.

C A P.

C A P. XVII.

An Act for the Preservation of Spawn and Fry of Fish.

FOR the Preservation hereafter of Spawn, Fry and young Breed of Eels, Salmons, Pikes, and of all other Fish which heretofore hath been much destroyed in Rivers and Streams salt and fresh within this Realm, inso much that in divers Places they feed Swine and Dogs with the Fry and Spawn of Fish, and otherwise, lamentable and horrible to be reported, destroy the same, to the great Hinderance and Decay of the Commonwealth: Be it therefore enacted by the Queen's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That no Person or Persons of what Estate, Degree or Condition soever he or they be, from and after the First Day of *June* next coming, with any Manner of Net, Weele, But, Taining, Kepper, Lime, Crele, Raw, Fagnet, Trolnet, Trimenet, Trimboat, Stalboat, Weblifter, Seur, Lammet, or with any Device or Engine made of Hair, Wool, Line or Canvas; or shall use any Heling-Net or Trimboat, or by any other Device, Engine, Cawtel, Ways or Means whatsoever heretofore made or devised, or hereafter to be made or devised, shall take and kill any young Brood, Spawn or Fry of Eels, Salmon, Pike or Pikerel, or of any other Fish, in any Flood-gate Pipe, at the Tail of any Mill, Wear, or in any Straights, Streams, Brooks, Rivers fresh or salt within this Realm of *England, Wales, Berwick*, or the Marches thereof; nor shall from and after the First Day of *June* next coming, by any of the Ways and Means aforesaid, or otherwise, in any River or Place above specified, take and kill any Salmons or Trouts, not being in Season, being Kepper-Salmons or Kepper-Trouts, Shedder-Salmons or Shedder-Trouts.

Spawn or Fry of Fish not to be taken.

None shall take Salmons or Trouts not in Season.

II. And be it further enacted by the Authority aforesaid, That no Person or Persons, of what Estate, Degree or Condition he or they shall be of, from and after the said First Day of *June*, by any of the Means aforesaid, in any of the Rivers or Places above named, shall take and kill any Pike or Pikerel, not being in Length Ten Inches or more; nor any Salmon not being in Length Sixteen Inches or more; nor any Trout not being in Length Eight Inches or more; nor any Barbel not being in Length Twelve Inches or more.

Length of Fish.

III. And to the Intent the said young Fry, Brood or Spawn may be preserved according to the true Meaning hereof, Be it further enacted by the Authority aforesaid, That no manner of Person or Persons, from and after the First Day of *June* next coming, shall fish or take Fish with any manner of Net, Tramel, Kepe, Wore, Hivie, Crele, or by any other Engine, Device, Ways or Means whatsoever, in any River or other Place above mentioned, but only with Net or Tramel whereof every Mesh or Mask shall be Two Inches and a Half broad; Angling excepted. [See as to length of Nets and size of Meshes, 18 G. 3. c. 33. and Note there; and no other Nets than as allowed by this Act to be used for taking Salmon, 45 G. 3. c. xxxiii. § 2.]

Of what Mesh each Net shall be.

IV. Provided nevertheless, and be it enacted by Authority aforesaid, That in all such Places where Smelts, Loches, Minnies, Bulheads, Gudgions or Eels, have been used to be taken and

What Nets or other Devices may be used for taking of small Fish.

killed,

killed, that in all such Places it shall be lawful, only for the taking of Smelts, Loches, Minnies, Gudgeons and Eels, to use such Nets, Lepes and other Engines, Devices, Ways and Meaps as heretofore have been used for the taking of the same; so that such Person or Persons using or occupying such Nets or other Engines as is last afore-mentioned, do not take, kill or destroy any other Fish with the said Nets or Engines, contrary to the Tenor and Form above in this Statute contained.

Penalty.

† Sic.

Who may en-
quire of and
determine
Offences.

How Penalties
disposed of.

Lord of Leet
may enquire of
Offences.

Oath.

V. And be it further enacted, That if any Person or Persons, after the aforesaid Day limited in this present Act, offend in any of the Points before rehearsed, contrary to the Tenor, Form and Purport of any Part of the same, that then every such Person and Persons so offending shall lose and forfeit for every Time of his or their Offence, the Sum of Twenty Shillings, † and the Fish so taken contrary to the Tenor hereof, and also the unlawful Nets, Engines, Devices and Instruments, whatsoever they be, where-with or whereby such Offence shall fortune to be made, committed or done. [5l. and Fish and Nets, 1 G. 1. Stat. 2. c. 18. § 14.]

VI. And to the Intent that a perfect Execution may be had of this present Act, be it further ordained by Authority aforesaid, That the Lord Admiral of *England*, and the Mayor of the City of *London* for the Time being, and all and every other Person and Persons, Bodies Politic and Corporate, which by Grant or other lawful Ways or Means, lawfully have or ought to have any Conservation or Preservation of any Rivers, Streams or Water, or Punishments and Corrections of Offences committed in any of them, shall have full Power and Authority by virtue of this Act to enquire of all the Offences to be committed and done contrary to the Effect and true Meaning of this Act, within his or their such lawful Rule, Government, Jurisdiction and Conservancy, by the Oaths of Twelve Men or more, and to hear and determine all and every the same Offences committed within his or their such Jurisdiction, Conservancy, Rule and Government.

VII. And that all such Pains and Forfeitures as shall rise or grow by the reason of any such Conviction for any the Offences aforesaid, shall be to the Use of every of the said Person and Persons being no Body Politick or Corporate, nor Head of any Body Politick or Corporate, before whom such Conviction, as is aforesaid, shall be had, and to the Use of every such Body Politick and Corporate as heretofore have lawfully had any Fines, Forfeitures and Amerciaments for any Offence unlawfully committed or done in any such their Jurisdiction or Conservancies, upon Conviction had before the Head of any such Body Politick or Corporate.

VIII. And that also the Lord of every Leet within this Realm of *England* and *Wales*, or the Dominions of the same, shall have full Power and Authority to enquire of all the Offences contrary to the Purport, Tenor and Form of this Estatute, within the Precinct of their said Leet: Such Enquiry to be had in Manner and Form, and after such Sort, as common Amerciaments, or other Things inquirable in their Court-Leet, have been lawfully used and accustomed to be had and made.

IX. And that upon every such Presentment had in any Court or Leet, by the Oath of Twelve Men or more, as is aforesaid, of any

any Offence or Offences made contrary to the Tenor of this Estatute; that then all such Forfeiture above in this Estatute limited and appointed for such Offence, shall be unto the Lord of the said Leet for the Time being, to his own Use for ever, and shall be levied in such Manner and Form, as Amerciaments for Affrays committed within the Precinct of such Leet have been used and accustomed to be levied.

Penalties levied.

X. And if any Leet after the said First Day of June be kept within this Realm of *England* or *Wales*, or the Dominions thereof, and the Steward of the said Leet for the Time being, or other for him, do not charge the Jury sworn in such Leet, to enquire of all the Offences done within the Precinct of the said Leet contrary to the Tenor and Form of this Estatute; that then the Steward of the said Leet to lose and forfeit Forty Shillings; the one Moiety of which Forfeitures shall be to the Queen's Majesty, her Heirs and Successors, and the other Moiety to him that will sue for the same. And if any Jury sworn in any Leet, and being charged to enquire of the Offences committed within the Precinct of that Leet, do wilfully and willingly conceal and make Default in Presentment, or do not present the Offence and Offenders; that then it shall be lawful to the Steward or Bailiff of the Leet, or his or their Deputy for the Time being, to impanel one other Jury within the said Leet, and to enquire of such Concealment, Default or Non-presentment; and that upon such Concealment, Default or Non-presentment found and presented, every of the said Jurors which do did conceal, make Default or not present, shall lose and forfeit for every such Offence Twenty Shillings to the Lord of the said Leet, the same to be levied in Manner and Form as is above-said for the other Offences limited and expressed.

Steward of Leet not giving Act in Charge.

Penalty.

Jury in a Leet concealing Offence.

Penalty.

XI. And it is further enacted by Authority aforesaid, That if the Offences above mentioned touching the taking, killing or destroying of Fish, or Fry and Spawn, be not presented at the Leet where they shall be committed, within One Year next after the Offence committed, that the Justices of the Peace in their Sessions, Justices of *Oyer* and *Determiner*, and Justices of Assize in their several Circuits, shall have full Power and Authority to enquire thereof, and to hear and determine all the Offences committed contrary to the Tenor of this Estatute.

Offences not presented in the Leet.

XII. Saving always to all and every Person or Persons, Bodies Politic and Corporate, and every of them, all such Right, Title, Interest, Claim, Privilege and Conservation, and Enquiry and Punishment of and for any the Offences aforesaid, as they or any of them lawfully have and enjoy, or of Right ought to have and enjoy, by any Manner of Means; any Thing in this Act to the contrary notwithstanding. This Act to endure to the End of the next Parliament.

General Saving.

XIII. Provided always, That this Act, nor any Thing therein contained, shall not extend unto the Fishing of the River or Water of *Tweed*; nor to any River or Water whereof the Queen's Majesty is answered of any yearly Rent or Profit; nor to the Owners, Farmers and Occupiers of the Rivers of *U/ke* or *Wye* in the County of *Monmouth*; for any Fish hereafter to be taken in any the Rivers or Waters before mentioned and expressed; but that it shall be lawful at all seasonable Time and Times hereafter, for such as have or shall have any manner of Interest therein, to take and fish the said

To what Persons, &c. Act doth not extend.

Rivers and Waters, in such Manner and Form as heretofore hath been used and accustomed, not using any Net or Engine, to the Intent willingly to take, kill and destroy the Spawn, Breed or Fry, breeding any Kind of Fish within the said several Rivers or Waters; this Act, or any Thing therein mentioned or contained to the contrary notwithstanding.

[Continued by several Statutes, and made perpetual except as to this last Section, 3 Car. 1. c. 4. § 1. 4.]

C A P. XVIII.

An Act for the Continuance of certain Statutes. EXP.

C A P. XIX.

[This is Cap. 36. on the Roll.]

An Act giving Authority to the Queen's Majesty, upon the Avoidance of any Archbishoprick or Bishoprick, to take into her Hands certain of the Temporal Possessions thereof, recompensing the same with Parsonages impropriate and Tenths.

THE Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, perceiving how necessary it is for the Imperial Crown of this Realm to be repaired with the Restitution of Revenues meet for the same, and having assented and fully accorded to restore to the same Imperial Crown the First-fruits and Tenths of Parsonages impropriate, for the Increase of the Revenue thereof, be also desirous to devise some good Means, whereby the said Revenue of Tenths and Impropriate Benefices might be in the Governance and Disposition of the Clergy of this Realm, being most apt for the same, in such Sort as yet thereby the said Imperial Crown should not be in any wise diminished in the said restored Revenue.

The Queen empowered to take into her Hands, on the Avoidance of any Archbishoprick, certain Possessions thereof.

II. And therefore beseech your Majesty, That it may be enacted by the Authority of this present Parliament, in Manner and Form hereafter following; that is to say, upon the Vacation and Avoidance of every Archbishoprick or Bishoprick within this your Realm of *England* and *Wales*, and other your Highness Dominions, it shall and may be lawful for your Highness, to elect and choose, and to take into your Hands and real Possession, as much and so many of any the Honours, Castles, Manors, Lands, Tenements or other Hereditaments, being Parcel of the Possessions of any such Archbishoprick or Bishoprick so being void, as the clear yearly Value of all your Majesty's Parsonages Appropriate and yearly Tenths within every such Archbishoprick or Bishoprick shall yearly amount and extend unto; and for the Trial of every Value of such Honours, Castles, Manors, Lands, Tenements and Hereditaments, it shall and may be lawful for your Highness from Time to Time to direct your Letters of Commission under your Highness Great Seal of *England* into every such Archbishoprick or Bishoprick, so being void, to such Persons as your Majesty shall think meet and convenient, giving them Authority thereby to survey such Honours, Castles, Manors, Lands, Tenements and Hereditaments, Parcel of the Possessions of the same Archbishoprick or Bishoprick so being void,

void, as to your Majesty shall be thought meet and convenient to be taken into your Highness Hands and Possession, and thereupon to certify the very clear yearly Value thereof, over all Charges and Reprises, into your Highness Court of Exchequer, at such Day and Time as by the said Commission shall be limited and appointed; and after such Certificate into the said Court of Exchequer of the clear yearly Value of such Honours, Castles, Manors, Lands, Tenements and Hereditaments, so had and made, it shall and may be lawful for your Highness, by your Letters Patents, to give and assure unto such Archbishop and Bishop, and his Successors, as shall be preferred and consecrated Archbishop or Bishop of such Archbishoprick or Bishoprick so being void, so much and so many of your yearly Tenths, Tithes and Parsonages appropriated, being within the same Archbishoprick or Bishoprick, as shall be of as much, or of more yearly Value, as the said Honours, Castles, Manors, Lands, Tenements or Hereditaments, so certified into your said Court of Exchequer, be certified unto; and that immediately upon such Gift and Grant made by your Highness, and the same by your Majesty under your Signet or Sign Manual signified unto your Treasurer and Barons of your said Court of Exchequer, together with your Pleasure for the retaining and keeping of the said Honours, Castles, Manors, Lands, Tenements or other Hereditaments so certified unto your said Court of Exchequer, in Lieu and Place of the said Tenths, Tithes and Parsonages appropriate, the same and such Honours, Castles, Manors, Lands, Tenements and other Hereditaments, as so shall then be certified into your said Court of Exchequer, shall be adjudged, vested and deemed, by Authority of this present Parliament, actually and really in your Highness, your Heirs and Successors, and be from thenceforth united and annexed to the Imperial Crown of this your Realm for ever, and from thenceforth shall be in the Order, Survey, Rule and Governance of your said Court of Exchequer, in such like Manner and Form, as other your Highness Possessions and Hereditaments be at this present.

¶ III. Provided always, and be it enacted by the Authority Provide. afore said, That this Act, or any Thing herein contained, shall not extend to give any Liberty or Authority to your Highness, to take from any such Archbishoprick or Bishoprick any of the Mansion-Houses, commonly used for the Habitation or Dwelling of any such Archbishop or Bishop, or any the Demean Lands commonly used or occupied with any such Mansion or Dwelling-House or Houses or any of them, or to take any other Lands or Tenements commonly used and kept in the Manurance, Tillage or Manual Occupation of any Archbishop or Bishop, for the Maintenance of Hospitality and good Housekeeping; any Thing in this Act contained to the contrary notwithstanding.

IV. Saving to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, and to the Heirs and Successors of every of them, other than the said Archbishops and Bishops and their Successors, all such Estate, Right, Title, Term, Interest, Rent, Profit, Offices or Commodities, as they or any of them have, should, might or ought to have had, in or to any Honours, Castles, Manors, Lands, Tenements or other Hereditaments whatsoever, in such like Manner, Form General Saving. and

What Convey-
ances by Arch-
bishops, &c.

and Condition, to all Intents and Purposes, as if this Act had never been had nor made; any Thing herein contained to the contrary notwithstanding.

V. And be it further enacted by the Authority aforesaid, That all Gifts, Grants, Feoffments, Fines or other Conveyance or Estates, from the First Day of this present Parliament, to be had, made, done or suffered by any Archbishop or Bishop, of any Honours, Castles, Manors, Lands, Tene ments or other Hereditaments, being Parcel of the Possessions of his Archbishoprick or Bishoprick, or united, appertaining or belonging to any the same Archbishopricks or Bishopricks, to any Person or Persons, Bodies Politic or Corporate, other than to the Queen's Highness, her Heirs or Successors, whereby any Estate or Estates should or may pass from the same Archbishops or Bishops or any of them, other than for the Term of xxj. Years or Three Lives, from such Time as any such Lease, Grant or Assurance shall begin, and whereupon the old accustomed yearly Rent or more, shall be reserved and payable yearly during the said Term of xxj. Years or Three Lives, shall be utterly void and of none Effect, to all Intents, Contractions and Purposes; any Law, Custom or Usage to the contrary in any wise notwithstanding.

C A P. XX.

An Act of a Subsidy of Tonnage and Poundage. EXP.

C A P. XXI.

An Act of a Subsidy and Two Fifteens and Tenth, granted by the Temporality. EXP.

THE Care which we do perceive your Majesty hath, most noble and redoubted Sovereign, to reduce this Realm and the Imperial Crown thereof now lately so sore shaken, so impoverished so infeebled and weakened, into the former Estate, Strength and Glory, doth make us not only to rejoice much in the great Bounteousness of Almighty God, who hath so marvelously, and beyond all worldly Expectation, preserved your Majesty in these late difficult and dangerous Times, but also to study and bend all our Wits and Force of Understanding, how we may, like loving and obedient Subjects, follow our Head, in this so noble and so necessary an Enterprize. And considering with ourselves, that the Decay hath been, besides many other Things, especially in these Three: First, wasting of Treasure, abandoning of Strength, and in diminishing of the ancient Authority of your Imperial Crown.

II. We do most earnestly and faithfully promise to your Highness, that there shall lack no good Will, Travel, nor Force on our Behalf, to the Redress of all this: But we shall be ready, with Heart, Will, Strength, Body, Lives and Goods, not only to recover again that which is thus diminished, but if need be, to recover further, (as far as Right, and the Will and Pleasure of God shall suffer), the old Dignity and Renown of this Realm. The Time and Place whereof doth not rest in us, but, as most Reason is, in your most noble Majesty, with the Advice of your Honourable Council. Nevertheless, since it doth

‘ doth so manifestly appear to us all what inestimable Waiting and
 ‘ Consumption of the Treasure and ancient Revenues of this
 ‘ Realm hath been of late Days, and what great new Charges,
 ‘ and intolerable Expences your Highness is forced now to
 ‘ sustain, by Reason of the Decay and Loss of Parcel of your
 ‘ ancient Crown: So, being not ignorant that no worthy Enter-
 ‘ prise, no noble Attempt, no not so much as the Preservation
 ‘ of a strong and puissant Estate, may be without some Mals of
 ‘ Treasure presently to be had, and ready against all Occur-
 ‘ rents.

‘ III. Therefore we your most obedient and loving Subjects,
 ‘ the Lords Spiritual and Temporal, and the Commons, in this
 ‘ present Parliament assembled, to shew our willing Hearts and
 ‘ good Minds, upon mature Consultation had, have condescended
 ‘ and agreed with one Voice and most entire Affections, to make
 ‘ your Highness at this Time a Present, not such indeed as in our
 ‘ Affections we do wish it, and as we know most certainly ought
 ‘ to be: But yet of your accustomed Clemency which you do
 ‘ shew to all Men, we humbly on our Knees pray your Highness
 ‘ not to reject it, but to accept our good Wills and hearty
 ‘ Desires herein, and that this our small Gift may be by your
 ‘ Highness, the Lords Spiritual and Temporal, and the Commons,
 ‘ in this present Parliament assembled, and by the Authority of
 ‘ the same enacted:’

IV. And be it enacted, That your Highness, towards the said
 great Costs and inestimable Charges, shall have, by Authority of
 this present Parliament, Two whole Fifteens and Tenths, to be
 paid, taken and levied of the moveable Goods, Chattels and other
 Things usual to such Fifteens and Tenths, to be contributory and
 chargeable within the Shires, Cities, Boroughs, Towns and other
 Places of this your Majesty’s Realm, in Manner and Form afore-
 time used: ‘ Except the Sum of Twelve thousand Pounds thereof
 ‘ fully be deducted; that is to say, Six thousand Pounds of either
 ‘ of the said whole Fifteens and Tenths, of the Sum that One
 ‘ whole Fifteen and Tenth attaineth unto, in Relief, Comfort and
 ‘ Discharge of the poor Towns, Cities and Boroughs of this your
 ‘ said Realm wasted, desolate and destroyed, or over greatly im-
 ‘ poverished, after such Rate as was and hath afore this Time been
 ‘ had and made to every Shire, and to be divided in such Manner
 ‘ and Form as heretofore for One whole Fifteen and Tenth hath
 ‘ been had and divided.’ And the said Two whole Fifteens and
 Tenths (the Exceptions and Deductions aforesaid, thereupon had,
 deducted and allowed) to be paid in Manner and Form fol-
 lowing; that is to say, the whole first Fifteen and Tenth, ex-
 cept before excepted, to be paid to your Highness in the Receipt
 of your Highness’ Exchequer, before the Tenth Day of *Novem-*
ber next coming. And the said second Fifteen and Tenth, ex-
 cept before excepted, to be paid to your Highness in the Re-
 ceipt of your Exchequer before the Tenth Day of *November*,
 in the Year of our Lord God 1560.

V. And be it further enacted by the Authority aforesaid, That
 the Knights elected and returned, of and for the Shires within
 this Realm for this present Parliament, Citizens of Cities, and
 Burgesses of Boroughs and Towns, where Collectors have been
 used to be named and appointed for the Collection of any Fifteen

and Tenth, before this Time granted, shall name and appoint yearly before the last Day of *August*, in either of the said Two Years, sufficient and able Persons for the Collection of the said Fifteens and Tenths, in every of the said Shires, Cities, Boroughs and Towns, the said Persons then having Lands, Tenements, and other Hereditaments, in his or their own Right of an Estate of Inheritance of the yearly Value of Ten Pounds, or in Goods worth an Hundred Pounds at the least. *And also such Person or Persons so by them to be named and appointed for the Collection of either of the said Fifteens and Tenths, shall be by them severally appointed and allotted into Hundreds, Rapes, Wapentakes, Cities, Boroughs and Towns. And also the said Persons so named and appointed for the Collection of the said Fifteens and Tenths, shall be charged and chargeable upon his or their Account or Accounts in the Exchequer to be made, with all such Sum or Sums of Money, as the Hundreds, Rapes, Wapentakes, Cities, Boroughs and Towns, where he or they shall so happen to be appointed, amount unto, and of no more Sum or Sums. And upon the Payment of such Sums of Money as he or they shall be charged with, shall be discharged, and have his or their *Quietus est*, the Non-accounting or Non-payment of any other of his Fellows, or the Insufficiency of them or any of them notwithstanding. And the Names or Surnames of every of the said Collectors, for the said Fifteens and Tenths, during either of the said Two Years, together with the Place allotted to their Collection and Charge, the said Knights, Citizens, and Burgeses for the Shires, Cities and Boroughs, whereunto they be elected, named and returned, shall certify before the Queen, in her Chancery, before the Thirteenth Day of *October*, in every of the same Two Years, according to the Tenor of this Act. And if the Default of any such certifying be had or made in Form as aforesaid, then the Lord Chancellor of *England*, or Keeper of the Great Seal for the Time being, shall, immediately after, name and appoint Collectors, for the Collection of either of the said Fifteens and Tenths, in Manner and Form as the said Knights of the Shires, Citizens of Cities, and Burgeses of Boroughs should have done, and as aforesaid have been used. The which said Collectors, and every of them, shall have like Allowance upon their Accounts, for their Fees, Wages and Rewards, for the Collection of the said Fifteens and Tenths, in as large Manner and Form as any Collector or Collectors of Fifteens and Tenths have had at any Season in Time past. And that the Barons of the Queen's Exchequer for the Time being, shall and may from Time to Time award such Process for the speedy Payment thereof against the Collector and Collectors for the same, as by their Discretions shall be thought convenient.

VI. Provided always, and be it enacted by the Authority of this present Parliament, That the said Lord Chancellor, or Keeper of the Great Seal for the Time being, Knights of the Shires, Citizens of Cities, and Burgeses of Boroughs, Towns and other Places, having Authority by this present Act, to name and nominate the said Collectors, of or for the said Fifteens and Tenths, shall upon their Nomination and Election had and made, take by Authority of this present Parliament, sufficient Recognizances or Obligations, of every Person so by them to be named, to be bound to the Queen's Majesty in the double Sum of the Sums of their Collection,

Collection, and to be indorfed upon fuch Condition, 'that if the
 ' faid Collector or Collectors, do truly content and pay, to the
 ' Ufe of the Queen's Highnefs in her Receipt of the Exchequer,
 ' before the Tenth Day of *November*, in every of the faid Two
 ' Years, fo much of the Sum of Money allotted and appointed to
 ' his Collection, as the fame Collector fhall have collected and
 ' gathered, and do likewise after the faid Tenth Day of the Month
 ' of *November*, in every of the faid Two Years, content and pay
 ' to the Queen's Majefty's Ufe at the fame Receipt, the Refidue of
 ' his Collection and Charge, within One Month next after fuch
 ' Time as he fhall have gathered and collected the fame Refidue;
 ' that then the Recognizance or Obligation to be void, or elfe to
 ' ftand in his full Strength and Virtue:' Which Recognizance or
 ' Obligation fo taken, the faid Knights of the Shire, Citizens and
 ' Burgefles, and every of them, taking any fuch Recognizances or
 ' Obligation, fhall certify and deliver to the Lord Treafurer, and
 ' Barons of the fame Exchequer, before the fame Tenth Day of
 ' *November*, in every of the faid Years, upon Pain of Forfeiture of
 ' x. li. to the Queen's Highnefs, for every Recognizance or Obliga-
 ' tion fo to be taken and not certified. And that every fuch Col-
 ' lector upon Request to him made, fhall make and knowledge the
 ' fame Recognizance or Obligation accordingly, upon like Pain and
 ' Forfeiture of x. li. to the Queen, for his Refufal thereof, and the
 ' Treafurer or Barons of the Exchequer, upon the Payment of the
 ' fame Collection, or at the faid Days, fhall cancel and deliver the
 ' faid Recognizance or Obligation to the faid Collector or Col-
 ' lectors, without any Fee or Reward to be paid to any Perfon for
 ' the fame,

VII. And furthermore, for the great and weighty Confide-
 rations aforefaid, we the Lords Spiritual and Temporal, and the
 Commons, of this prefent Parliament affembled, do, by our like
 Affent and Authority of this Parliament, give and grant to your
 Highnefs, our faid Sovereign Lady the Queen's Majefty, your
 Heirs and Succelfors, One entire Subfidy, to be rated, taxed,
 levied and paid at Two feveral Payments, of every Perfon fpiri-
 tual and temporal, of what Eftate or Degree he or they be,
 according to the Tenor of this Act, in Manner and Form fol-
 lowing; that is to fay, as well of every Perfon born within
 this Realm of *England, Wales*, or other the Queen's Dominions,
 as of all and every Fraternity, Guild, Corporation, Myftery, Bro-
 therhood and Commonalty, corporated or not corporated, within
 this Realm of *England, Wales*, or other the Queen's Dominions,
 being worth v. li. for every Pound, as well in Coin and the Value
 of every Pound, that every fuch Perfon, Fraternity, Guild, Cor-
 poration, Myftery, Brotherhood, Commonalty, corporate or not
 corporate, hath of his or their own, or any other to his or their
 Ufe, as alfo Plate, Stock of Merchandizes, all Manner of Corn and
 Blades, Houfehold Stuff, and of all other Goods moveable, as
 well within the Realm as without, and of all Sums of Money as to
 him or them is, or fhall be owing, whereof he or they truft in his or
 their Confcience, furely to be paid, except and out of the Pre-
 mifes deducted, fuch Sums of Money as he or they owe, and in
 his or their Confciences intendeth truly to pay: And except alfo
 the Apparel of fuch Perfons, their Wives and Children, belonging
 to their own Bodies, (faving Jewels, -Gold, Silver, Stone and
 Pearl,)

and Persons, as shall be foreprised in and by this present Act, any Grant, Charter, Prescription, Use or Liberty, by Reason of any Letters Patents, or other Privilege, Prescription, Allowance of the same, or whatsoever other Matter of Discharge heretofore to the contrary made, granted, used or obtained, notwithstanding.

XI. And it is further enacted by Authority of this present Parliament, that every such Person, as well such as be born under the Queen's Obeisance, as every other Stranger born, Denizen or not Denizen, inhabiting within this Realm, or within *Wales*, or other the Queen's Dominions, which at the Time of the said Assessings or Taxations, or either of them to be had or made, shall be out of this Realm, and out of *Wales*, and have Goods or Chattels, Lands or Tenements, Fees or Annuities, or other Profits, within this Realm, or in *Wales*, shall be charged and chargeable for the same, by the Certificate of the Inhabitants, of the Parts where such Goods, Chattels, Lands, Tenements, or other the Premises, then shall be, or in such other Place where such Person or his Factor, Deputy or Attorney, shall have his most resort unto within this Realm, or in *Wales*, in like Manner as if the said Person were, or had been at the Time of the said assessing within this Realm: And that every Person, abiding or dwelling within this Realm or without this Realm, shall be charged or chargeable to the same Subsidy granted by this Act, according and after the Rate of such yearly Subsidy, or Value of Lands and Tenements, Goods, Chattels, and other the Premises, as every Person so to be charged shall be set at, in the Time of the said assessing or Taxation upon him to be made, and in none otherwise.

XII. And further be it enacted by the Authority aforesaid, That for the assessing and ordering of the said Subsidy to be duly had, the Lord Chancellor of *England*, or the Keeper of the Great Seal, the Lord Treasurer of *England*, the Lord Steward of the Queen's Majesty's Household, the Lord President of the Queen's Honourable Council, and the Lord Privy Seal for the Time being, or Two of them at the least, whereof the Lord Chancellor of *England*, or Keeper of the Great Seal for the Time being to be one, shall and may name and appoint, of and for every Shire and Riding, and other Places as well within this Realm as in *Wales*, and other the Queen's Dominions, and also of and for every City and Town, being a County in itself, and of and for the Isle of *Wight*, such certain Number of Persons of every of the same Shires, Ridings, Lathes, Wapentakes, Rapes, Cities, Towns and Isle of *Wight*, and every other Place, and other the Inhabitants of the same, to be Commissioners of and within the same, whereof they be Inhabitants; And also of, and for the Honourable Household of the Queen's Majesty in that Shire, or other Places the said Household shall happen then to be: And the Lord Chancellor or Keeper of the Great Seal, and other with him before named, in like Manner may name and appoint of every such Borough and Town Corporate, as well in *England* as in *Wales*, and other the Queen's Dominions, as they shall think requisite, Six, Five, Four, Three or Two of the head Officers, and other said honest Inhabitants of the said Cities, Boroughs and Towns Corporate, according to the Number and Multitude of the People being in the same, the which Persons, if any such be thereunto named, of the said Inhabitants of the said Boroughs and Towns Corporate, not being
Counties

Counties in themselves, shall be joined and put in as Commissioners, with the Persons named for such Shires and Ridings, as the said Boroughs and Towns Corporate, not being Counties in themselves, be set and have their being, which Persons so named for and of the said Boroughs and Towns Corporate, not being Counties, by reason of their dwelling in the same, shall not take upon them, ne none of them, to put any Part of their Commission in Execution for the Premises, out of the said Boroughs and Towns Corporate, wherein they, being so named only for the same, be dwelling: And also not to execute the said Commission within the Borough or Town Corporate where they be so dwelling, but at such Days and Times as the said other Commissioners, for the same Shire and Riding shall thereunto limit and appoint within the same Borough or Town Corporate, not being County Corporate, whereof they so be, and not out of such Borough or Town, and in that Manner to be aiding and assisting with the said other Commissioners, in and for the good executing of the Effect of the said Commission, upon Pain of every of the said Commissioners, so named for every such City, Borough, Town Corporate, not being a County, to make such Fine as the said other Commissioners in the Commission of and for the said Shire or Riding so named, or Three of them at the least, shall by their Discretions set and certify into the Queen's Exchequer, there to be levied to the Use of the Queen's Majesty, in like Manner as such or like Sums had been set and rated upon every such Person for the said Subsidy: The which Commissioners so named of and for the said Cities, Boroughs and Towns, not being Counties, and only put in the said Commission, by reason of their dwelling in the same, shall not have any Part of the Portion of the Fees and Rewards of the Commissioners and their Clerks, in this Act afterwards specified: And the Lord Chancellor of *England*, or Keeper of the Great Seal, for the Time being, shall make and direct out of the Court of Chancery, under the Great Seal, several Commissions; that is to say, to every Shire, Riding, Lathe, Wapentake, Rape, City, Town, Borough, Isle and Household, unto such Person and Persons, as by his Discretion, and other with him aforementioned and appointed in like Manner and Form as is afore rehearsed, shall be thought sufficient for the setting and levying of the said Subsidy, in all Shires and Places, according to the true Meaning of this Act: which Commission, for the First Payment of the said Subsidy, shall be directed and delivered to the said Commissioners, or to One of them, before the First Day of *April* next coming: And the Commission for the Second Payment of the said Subsidy, shall be directed and delivered to the said Commissioners, or One of them, before the First Day of *January* which shall be in the Year of our Lord God 1559: And to every of the said Commissioners, Ten Schedules, containing in them the Tenor of this Act, shall be affiled: By which Commission, the Commissioners in every such Commission, named according to this Act, and as many of them as shall be appointed by the said Commission, shall have full Power and Authority to put the Effect of the same Commission in Execution: And that by Authority of this Act, after such Commissions to them directed, they may by their Assents and Agreements sever themselves for the Execution of their Commission, in Hundreds, Lathes, Wards, Rapes, Wapentakes, Towns, Parishes and other Places, within the Limits of their

their said Commission, in such Form as to them shall seem expedient to be ordered, and between them to be communed and agreed, according to the Tenor and Effect of the Commission to them therein directed, upon which Severance, every Person of this present Parliament, that shall be Commissioner, shall be assigned in the Hundred where he dwelleth.

XIII. Provided always, That no Person be or shall be compelled to be any Commissioner, to and for the Execution of this present Act, but only in the Shire where he dwelleth and inhabiteth: And that any Person being assigned to the contrary thereof, in any wise shall not be compelled to put in Execution the Effect of this Act, or any Part thereof: And it is also enacted by Authority of this present Parliament, that the Commissioners and every of them, which shall be named, limited and appointed according to this Act, to be Commissioners in every such Shire, Riding, Lathe, Wapentake, Rape, City, Town, Borough, Isle, and the said Household or any other Place, and none other, shall truly, effectually and diligently for their Part, execute the Effect of this present Act, according to the Tenor thereof in every Behalf, and none otherwise by any other Means, without Omiffion, Favour, Dread, Malice or any other Thing to be attempted and done by them, or any of them, to the contrary thereof: And the said Commissioners, and as many of them as shall be appointed by the said Commission, and none other, for the Execution of the said Commission and Act, shall for the Taxation of the said First Payment of the said Subsidy, before the Sixth Day of *April* next coming; and for the Taxation of the said Second Payment of the said Subsidy, shall before the Sixth Day of *January*, which shall be in the Year of our Lord God 1559, by virtue of the Commissions delivered unto them in Form abovesaid, direct their several or joint Precept, unto Eight, Seven, Six, Five, Four or Three or more, as for the Number of the Inhabitants shall be requisite, of the most substantial, discreet and honest Persons, Inhabitants, to be named by the said Commissioners, or by as many of them, as shall be appointed by the said Commission, of and in Hundreds, Lathes, Rapes, Wapentakes, Wards, Parishes, Towns and other Places, as well within Liberties, Franchises, ancient Demeanes, Places exempted, and Sanctuaries, as without, within the Limits of the Shires, Ridings, Lathes, Wapentakes, Rapes, Cities, Towns, Boroughs or Isle aforesaid, and other Places within the Limits of their Commission, and to the Constables, Sub-constables, Bailiffs, and other like Officers or Ministers of every of the said Hundreds, Towns, Wards, Lathes, Wapentakes, Parishes and other Places aforesaid, as to the said Commissioners, and every Number of them, or unto Three or Two of them by their Discretion in Division shall seem expedient, as by the Manner and Use of the Parties shall be requisite, strictly by the same Precept charging and commanding the same Inhabitants, Constables, and other Officers aforesaid, to whom such Precept shall be so directed, to appear in their proper Persons, before the said Commissioners, or such Number of them as they shall divide themselves, according to the Tenor of the said Commission, at certain Days and Places, by the said Commissioners, or any Number of them, as is aforesaid, within Cities, Boroughs or Towns Corporate, or without, in any other Place, as is aforesaid, by their Discretions shall be limited thereunto, to do
and

and accomplish all that to them on the Part of the Queen's Majesty shall be enjoined touching this Act: Commanding further by the same Precept, that he to whose Hands such Precept shall come, shall shew or deliver the same to the other Inhabitants or Officers named in the said Precept, and that none of them fail to accomplish the same, upon Pain of 40 s. to be forfeited to the Queen's Majesty.

XIV. And it is further ordained by the Authority of this present Parliament, That the said Day and Place prefixed and limited in the said Precept, every of the Commissioners then being in the Shire, and having no sufficient Excuse for his Absence at the Day and Place prefixed for that Part whereunto he was limited, shall appear in his proper Person, that there the same Commissioners being present, or as many as shall be appointed by the Queen's Majesty's Commission, shall call or cause to be called before them the said Inhabitants and Officers to whom they have directed their said Precepts, and which had in Commandment there to appear by the said Precept of the said Commissioners, and if any Person so warned make Default, unless he then be letted by Sicknes or lawful Excuse, and that let then be witnessed by the Oaths of Two credible Persons, or if any appearing refuse to be sworn in Form following, to forfeit to the Queen's Majesty Forty Shillings: And so at every Time appointed by the Commissioners for the same Taxation, unto such Time the Number of every such Persons appeared and certified in Form under written, and every of them so making Default, or refusing to be sworn, to forfeit to the Queen's Majesty Forty Shillings, and upon the same Appearance had, One of the most substantial Inhabitants or Officers being warned and appearing before the said Commissioners, shall be sworn upon a Book openly before the Commissioners in Form following:

‘ I SHALL truly inquire with my Fellows that shall be charged with me, of the Hundred, Wapentake, Ward, Town or other Place, of the best and most Value of the Substance of every Person dwelling and abiding within the Limits of the Places that I and my Fellows shall be charged with, and of other which shall have his or their most resort unto any of the said Places, and chargeable with any Sum of Money by this Act of this Subsidy, and of all other Articles that I shall be charged with touching the said Act, and according to the Intent of the same, and thereupon as near as it may be, or shall come to my Knowledge, truly to present and certify before you, the Names, Surnames, and the best and uttermost Substance and Values of every of them, as well of Lands, Tenements and other Hereditaments, Possessions and Profits, as of Goods, Chattels, Debts and other Things chargeable by the said Act, without any Concealment, Love, Favour, Affection, Dread, Fear or Malice, as near as God will give me Grace,
‘ So help me God,
‘ And the Holy Contents of this Book.’

The Oath of the Presentors of such as are chargeable with Payment of the Subsidy.

XV. And every other Person that shall appear there by the same Precepts, from Time to Time, shall make like Oath, and upon the Oath so taken, as is aforesaid, by the Inhabitants and Officers of every Hundred, Ward, Wapentake, Town or other Place, the said Commissioners shall openly there read, or cause to be read unto them the said Rates, and openly declare the Effect of their Charge

Charge unto them, in what Manner and Form they ought and should make their Certificate, according to the Rates and Sums thereof abovesaid : And of all Manner of Persons, as well of Aliens and Strangers, Denizens or not Denizens inhabiting within this Realm, as of such Persons as be born under the Queen's Obeisance, chargeable to this Act : And of the Possessions, Goods and Chattels, of Fraternities, Guilds, Corporations, Brotherhoods, Mysteries and Commonalties, and other as is abovesaid, and of Persons being in the Parts beyond the Seas, having Goods or Chattels, Lands or Tenements within this Realm, as is abovesaid, and of all Goods being in the Custody of any Person or Persons, to the Use of any other as is abovesaid, by the which Information and shewing, the said Persons should have such plain Knowledge of the true Intent of this present Act, and of the Manner of their Certificate, that the same Persons should have no reasonable Cause to excuse them by Ignorance, and after such Oath, and the Statute of the said Subsidy, and the Manner of the said Certificate, to be made in Writing, containing the Names and Surnames of every Person, and whether he be born without the Queen's Obeisance or within, and the best Value of every Person in every Degree, as well of yearly Value of Lands and Tenements, and of such like Possessions and Profits, as the Value of Goods and Chattels, Debts, and every Thing to their Certificate requisite and necessary to them declared, the said Commissioners there being, shall by their Discretions appoint and limit unto the said Persons, another Day and Place to appear before the said Commissioners, and charging the said Persons that they in the mean Time shall make diligent Inquiry, by all Ways and Means of the Premises, and then and there every of them upon Pain of Forfeiture of Forty Shillings to the Queen's Majesty, to appear at the said new prefixed Day and Place, there to certify unto the said Commissioners, in Writing to their said Charge, and according to the true Intent of the said Grant of Subsidy, and as to them in Manner abovesaid hath been declared and shewed by the Commissioners, at which Day and Place so to them prefixed, if any of the said Persons make Default, or appear and refuse to make the said Certificate, that then every of them so offending, to forfeit to the Queen's Majesty Forty Shillings, except only a reasonable Excuse of his Default, by reason of Sicknes or otherwise by the Oaths of Two credible Persons there witnessed be had : And of such as appear ready to make Certificate as is abovesaid, the said Commissioners there being, shall take and receive the same Certificate and every Part thereof, and the Names, Values and Substance of every Person so certified, and if the same Commissioners see Cause reasonable, they shall examine the said Presentors thereof. And thereupon the said Commissioners at the said Days and Place by their Agreement amongst themselves, shall from Time to Time openly there prefix a Day, at a certain Place or Places within the Limits of their Commission, by their Discretion for their further proceeding to the said assessing of the same Subsidy, and thereupon at the said Day of the said Certificate, as is abovesaid taken, the same Commissioners shall make their Precept or Precepts to the Constables, Sub-constables, Bailiffs, or other Officers of such Hundreds, Wapentakes, Towns or other Places abovesaid, as the same Commissioners shall be of, comprising and containing in the same Precept, the Names and Surnames of all Persons presented before them in the said Certificate,

tificate, of whom if the said Commissioners or as many of them as shall be thereunto appointed by the Queen's Commission, shall then have vehement suspect to be of more greater Value or Substance in Lands, Goods, Chattels or Sums of Money owing to them, or other Substance before said, then upon such Person or Persons shall be certified, the same Commissioners shall make their Precept or Precepts directed to the Constable, Bailiffs or other Officers, commanding the same Constable, Bailiffs or other Officers to whom such Precept shall be directed to warn such Persons whose Name shall be comprised in the said Precept at their Mansion or to their Persons, that the same Persons named in such Precepts, and every of them, shall personally appear before the said Commissioners, at the said new prefixed Day and Place, there to be examined by all Ways and Means (other than by corporal Oath) by the said Commissioners, of their greatest Substance and best Value, and of all and every Sums of Money owing to them, and other whatsoever Matter concerning the Premises, or any of them, according to this Act, at which Day and Place prefixed, the said Commissioners then and there being, or as many of them as shall be thereunto appointed by the Queen's Commission, shall cause to be called the said Persons whose Names shall be comprised in the said Precept as is aforesaid, for their Examination: And if any of those Persons which should be warned, as is aforesaid, to be examined, which at any Time after the warning, and before the prefixed Day, shall be within such Place where he may have Knowledge of his said Appearance to be made, make Default, and appear not, unless a reasonable Cause, or else a reasonable Excuse, by the Oaths of Two credible Persons before the said Commissioners, be truly alledged for his Discharge, that then every of them so making Default, to be taxed and charged to the Queen's Majesty, with and at the double Sums of the Rate that he should or ought to have been set at, for and after the best Value of his Land or Substance upon him certified, if he had appeared by the Discretion of the Commissioners there being, which Commissioners shall travel with every of the other Persons so then and there appearing, whose Names shall be expressed in the said Precept or Precepts, and in whom any vehement suspect was or shall be had in Form aforesaid, by all such Ways and Means they can (other than by corporal Oath) for their better Knowledge of their best Value, either in Hereditaments or Possessions, either else in Goods or Debts.

XVI. And that every spiritual Person at either of the said Taxations of the said Subsidy, shall be rated and set according to the Rate aforesaid, of and for every Pound that the same spiritual Person or any other to his Use, hath by Descent, Bargain or Purchase in Fee Simple, Fee Tail, Term of Life, Term of Years, by Execution, by Ward, or by Copy of Court Roll, in any Manors, Lands, Tenements, Rents, Services, Offices, Fees, Corodies, Annuities or Hereditaments, after the true, just and yearly Value thereof, after and according as other the Queen's Majesty's Subjects born within this Realm, be charged in Form above remembered, so that it extend to the yearly Value of Twenty Shillings or above.

XVII. And if any Person certified or rated by virtue of this Act, be he Commissioner or other, to any Manner of Value doth find himself grieved with the same Presentment, setting or taxing, and

and thereupon complain to the Commissioners before whom he shall be rated, assessed or taxed, or before Two of them, that then the said Commissioners shall by all Ways and Means examine particularly and distinctly the Person so complaining, and other his Neighbours by their Discretion of every his Lands and Tenements above specified, and of every his Goods, Chattels and Debts above mentioned, and after due Examination and perfect Knowledge thereof had and perceived by the said Commissioners, which shall have Power by the Authority aforesaid, the said Commissioners or Two of them to whom any such Complaint shall be made, by their Discretions, upon the Oath of the said Person so complaining, may abate, default, increase or enlarge the same Assessment, according as it shall appear unto them just upon the same Examination: And the same Sum so abated, defaulted, increased or enlarged, to be estreated in Form as hereafter ensueth, so that he come before the Estreats of the same assessing be delivered by the same Commissioners into the Queen's Majesty's Exchequer: And if it be proved by Witness, his own Confession, or other lawful Ways or Means, within a Year after any such Oath made, that the same Person so taxed and sworn, was of any better or greater Value in Lands, Goods or other Things above specified, at any Time of the said Oath, then the same Person so sworn, did declare upon his said Oath, that then every such Person so offending, shall lose and forfeit to the Queen's Majesty so much in lawful Money of *England*, as the same Person so sworn was set at or taxed to pay, and all Persons set, rated and taxed, as is aforesaid, shall be bound and charged by the same, and the Sum or Sums upon him set, to be due towards the Payment of the said Subsidy, and to be levied as hereafter shall be specified.

XVIII. And also it is enacted by the same Authority, That every Person to be rated at the same Taxation, as is aforesaid, shall be rated, taxed and set, and the Sum on him set, to be levied at such Place where he and his Family at the Time of the same Presentment to be made, shall keep his House or Dwelling, or where he then shall be most conversant, abiding or resident, or shall have his most resort, and shall be best known at the Time of the said Certificate to be made, and no where else; and that no Commissioner of this Subsidy shall be rated or taxed for his Goods or Lands, but in the Shire and other Place where he shall be Commissioner: And that if any Person chargeable to this Act, at the Time of the said assessing, happen to be out of this Realm, and out of *Wales*, or far from the Place where he shall be known, then he to be set where he was last abiding in this Realm, and within *Wales*, and best known, and after the Substance and Value, and other Profits of every Person known by the Examination, Certificate, and other Manner of wise as is aforesaid. The said Commissioners, or as many of them as shall be appointed by the Queen's Majesty's Commission, shall after the Rate aforesaid, set and tax every Person according to the Rate of the Substance and Value of his Lands, Goods and other Profits whereby the greatest and most best Sum, according to his most Substance, by reason of this Act, might or may be set or taxed.

XIX. Provided always, That every such Person which shall be set or taxed for Payment of and to this Subsidy, for and after the yearly Value of his Lands, Tenements and other real Possessions or Profits,

Profits, at any of the said Taxations, shall not be set and taxed for his Goods and Chattels, or other moveable Substance at the same Taxations. And that he that shall be charged or taxed for the same Subsidy, for his Goods, Chattels, and other Moveables at any of the said Taxations, shall not be charged, taxed or chargeable for his Lands, or other real Possessions and Profits abovesaid, at the same Taxations, nor that any Person be double charged for the said Subsidy, neither set or taxed at several Places by reason of this Act, any Thing contained in this present Act notwithstanding.

XX. And that it be ordained by the said Authority of this present Parliament, That no Person having Two Mansions or Two Places to resort unto, or calling himself household Servant, or waiting Servant to the Queen's Majesty, or other Lord or Lady, Master or Mistress, be excused upon his saying, from the Taxes of the said Subsidy in either of the Places where he may be set, unless he bring a Certificate in Writing from the Commissioners where that he is so set in Deed at one Place. And if any Person that ought to be set, by reason of his removing or resorting to Two Places, or by reason of his saying that he elsewhere was taxed, or by reason of any Privilege by his dwelling or abiding in any Place, not being foreprised in this Act, or otherwise by his Covin or Craft happen to escape from the said Taxations, and be not set, and that proved by Presentment, Examination or Information, before the said Commissioners, or as many of them as shall be by the same Commission appointed, or by the Barons of the Queen's Majesty's Exchequer, or Two Justices of the Peace, of the County where such Person dwelleth, then every such Person that by such Means or otherwise willingly by Covin shall happen to escape from the said Taxation or Payment abovesaid, and not be taxed, rated and set, shall be charged upon the Knowledge and Proof thereof, with and at the double Value that he should or ought to have been set at afore, according to his Behaviour, the same double Value to be levied, gathered and paid of his Goods and Chattels, Lands and Tenements towards the said Subsidy, and further to be punished according to the Discretions of the Barons, Justices and Commissioners, before whom he shall be convicted for his Offence and Deceit in that Behalf.

XXI. And further be it enacted by the Authority abovesaid, That the said Commissioners of every Commission, shall according to their Divisions, and after they be divided, have full Power and Authority by this Act, to set, tax and sell every other Commissioner, joined with them in every such Commission and Division, and shall also assess every Assessor, within their Division, for his and their Goods, Lands, and other the Premises, as is abovesaid, By the which said Commission, the said Commissioners shall indifferently set, tax and assess themselves, and the said Assessors: And that as well the Sums upon every of the said Commissioners and Assessors so assessed, rated and taxed, as the Sums made and presented by the Presentors, sworn as is abovesaid, shall be written, certified, set and estreated, and the Estreats thereof to be made with other the Inhabitants of those Parts within the Limits of the same Commission and Division, so to be gathered and levied, in like Manner as it ought or should have been, if the said Commissioners had not been in the said Commission: And that all Persons

of the Estate of a Baron or Barons, and every Estate above, shall be charged with their Freehold and Value, as is abovesaid, by the Chancellor or Keeper of the Great Seal, Treasurer of *England*, Lord President of the Queen's Majesty's Privy Counsel, and Lord Privy Seal for the Time being, or other Persons by the Queen's Majesty's Authority to be limited, and they to be charged for the said several Payments of the said Subsidy, after the Form of the said Grant, according to the Taxation aforesaid, and the Sums upon them set, with the Names of the Collectors appointed for the gathering and paying of the same, to be estreated, delivered and certified, at Days and Places above specified, by the Lord Chancellor, or Keeper of the Great Seal, Treasurer, Lord President of the Counsel, and Lord Privy Seal for the Time being, or such other Persons as shall be limited by the Queen's Majesty: And after the Taxes and Assesses of the said Sums upon and by the said Assessing and Certificate, as aforesaid made, the said Commissioners, or as many of them as shall be thereunto appointed by the Queen's Majesty's Commission, shall with all Speed, and without Delay, by the Writing estreated of the said Tax thereof, under the Seals and Signs Manual of the said Commissioners, or as many of them as shall be appointed at the least, to be made, be delivered unto sufficient and substantial Inhabitants, Constables, Sub-constables, Bailiffs, and other Officers jointly, of Hundreds, Towns, Parishes, and other Places aforesaid, within their Limits, or to other sufficient Persons Inhabitants of the same only, by the Discretion of the said Commissioners, and as the Place and Parties shall require, as well the particular Names and Surnames, as the Remembrance of all Sums of Money, taxed and set, of and upon every Person, as well Man as Woman, chargeable to this Act, Householder, and all other Inhabitants and Dwellers within the said Parishes, Towns and Places contributory to this Act of Subsidy: By authority of which Writing or Estreat so delivered, the said Officers and other Persons so named and deputed severally, shall have full Power and Authority by virtue of this Act, immediately after the Delivery of the said Writing or Estreat, to demand, levy and gather of every Person therein specified, the Sum or Sums in the same Writing or Estreat comprised, and for Non-payment thereof, to distrain the same Person or Persons so being behind, by their Goods and Chattels, and the Distress so taken, to keep by the Space of Eight Days, at the Costs and Charges of the Owner thereof: And if the said Owner do not pay such Sum of Money as shall be taxed by this Act, within the same Eight Days, then the same Distress to be appraised by Four, Three or Two of the Inhabitants where such Distress is taken, and also to be sold by the said Constable or other Collector, for the Payment of the said Money, and the Overplus coming of the Sale and keeping thereof (if any be) to be immediately restored to the Owner of the same Distress, which said Officers and other Persons so deputed to ask, take, gather and levy, the said Sums, shall answer and be charged for the Portion only to them assigned or limited, to be gathered, levied and comprised in the said Writing or Estreat so to them (as is aforesaid) delivered, to the Use of our Sovereign Lady the Queen's Majesty, and her Heirs and Successors: And the said Sum in that Writing or Estreat comprised, to pay unto the high Collector or Collectors of the Place for the Collection of the same, in Manner and Form under written, there-

unto to be named and deputed, and the same Inhabitants and Officers so gathering the same particular Sums, for their Collection thereof, shall retain for every Twenty Shillings so by them received and paid, Two pence, and that to be allowed at the Payment of their Collection by them to be made to the high Collector or Collectors

XXII. And further be it enacted by the said Authority, That the said Commissioners, or the more Part of them, as shall take upon them the Execution and Business of the said Commission, shall for either of the same Payments of the said Subsidy, name such sufficient and able Persons, which then shall have possessed Lands, and other Hereditaments, in their own Right, of the yearly Value of Twenty Pounds, or Goods, to the Value of Two Hundred Marks at the least: And the Persons severally by the Discretions of the same Commissioners, in Shires, Ridings, Lathes, Wapentakes, Rapes, Cities, Towns Corporate, and other whatsoever Places, as well within Places privileged as without not being foreprised within this Act, to be high Collectors, and have the Collection and Receipt of the said Sums, set and leviabie within the Precinct, Limit and Bounds where they shall be so limited to gather and receive, to every of the which Collectors so severally named, the said Commissioners, or Two of them at the least, shall with all Speed, and without Delay, after the said whole Sum of the said Subsidy, be set by all the Limits of the same their Commission, or in such Limits as the high Collectors shall be so severally assigned, shall under their Seals and Signs Manual, deliver one Estreat indented in Parchment to every of the said high Collectors, comprising in it the Names of all such Persons as were assigned to levy the said particular Sums, and the Sums of every Hundred, Wapentake, Town or other Place aforesaid, with the Names and Surnames of the Persons so chargeable, according to the Estreat so first thereof made, as is aforesaid, and delivered, and the Collector to be assigned, shall be charged to answer the whole Sum comprised in the said Estreat limited to his Collection, as is aforesaid.

XXIII. Provided always, and be it enacted by the Authority aforesaid, That the said Commissioners having Authority by this Act to name and nominate the said high Collectors of the said Subsidy, shall immediately upon the Nomination and Election, take by Authority of this present Parliament, sufficient Recognisances or Obligations, without any Fee or Reward to be paid therefore of every Person so by them to be named to be high Collector, to be bound to the Queen's Majesty in the double Sum of the Sum of his Collection, and to be indorfed and made upon such Condition: that is to say, for the Collection of the said First Payment of the said Subsidy, 'that if the said Collector, his Heirs or Executors, do truly content and pay to the Use of the Queen's Majesty, her Heirs or Executors, in the Receipt of the said Exchequer, before the said Four and twentieth Day of June next coming, so much of the Sum of Money allotted and appointed to his Collection, as he shall collect and gather, and content and pay the Residue of his Collection and Charge, within One Month next after such Time as he hath gathered and collected the same Residue, that then the said Recognisance or Obligation to be void, or else to stand in full Strength and Virtue.' And for the Collection of the Second Payment of the said Subsidy, upon Con-

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tion, ' that if the said Collector, his Heirs or Executors, do truly
' content and pay to the Use of the Queen's Majesty, her Heirs
' or Executors, in her Receipt of the Exchequer, before the First
' Day of *March* which shall be in the Year of our Lord God One
' thousand five hundred and fifty nine, so much of the said Sum of
' Money allotted and appointed to his Collection, as he shall col-
' lection and Charge, within One Month next after such Time as he
' hath gathered and collected the same Residue; that then the said
' Recognisance or Obligation to be void, or else to stand in full
' Strength and Virtue: which said several Recognisances or Ob-
ligations so taken, the said Commissioners shall severally certify and
deliver into the Queen's Majesty's Exchequer, with the several
Certificates of the said Taxations, and Rates of the Payments
of the said Subsidy, at and by the Time to them prescribed and
appointed by this Act, for the Certificate of the said several Taxa-
tions of the said Subsidy, upon Pain of Forfeiture of x.li. to the
Queen's Majesty, for every Recognisance or Obligation not certi-
fied. And that every such Collector so elected, named and chosen,
upon request to him made, shall knowledge and make the said
Recognisance or Obligation, upon like Pain and Forfeiture of
x.li. to the Queen's Majesty for the Refusal thereof, and every
Collector so deputed, having the said Estreat in Parchment, as is
aforesaid, shall have Authority by this Act, to appoint Days and
Places within the Circuit of his Collection, for the Payment of the
said Subsidy, to him to be made, and thereof to give warning by
Proclamation or otherwise, to all the Constables or other Persons
or Inhabitants, having the Charge of the particular Collection,
within the Hundreds, Parishes, Towns or other Places by him or
them limited, to make Payment for their said particular Collection
of every Sum, as to them shall appertain. And if at the said Day
and Place so limited and prefixed by the said Collector, the said
Constable, Officers, or other Persons or Inhabitants, as is afore-
said, for the said particular Collection, assigned and appointed
within the Hundred, City, Town, or other Place, do not pay unto
the said Collectors, the Sum within their several Hundreds,
Towns, Parishes, or other Places due and comprised in the said
Estreat thereof, to him delivered by the said Commissioners, or
some of them as is aforesaid, or so much thereof as they have by
any Means received, Two pence of every Pound for the said par-
ticular Collection as is aforesaid, always to be thereof allowed,
excepted and abated, that then it shall be lawful to the said high
Collectors, and every of them, and to their Assigns, to distrain every
of the said Constables, Officers, and other Inhabitants, for their said
several and particular Collection of the said Sums comprised in the
said Estreat and Writing thereof, to them and every of them, as
is before expressed, delivered, or for as much of the Sum as so then
shall happen to be gathered and levied, and be behind and unpaid,
by the Goods and Chattels of every of them, so being behind.
And the Distress so taken, to be kept, appraised and sold as is
aforesaid, and thereof to take and levy the Sums so then being be-
hind and unpaid. And the Overplus coming of the Sale of the
said Distress (if any be) to be restored and delivered unto the
Owner, in Form above remembered.

XXIV. Provided

XXIV. Provided always, That no Person inhabiting in any City, Borough or Town Corporate, shall be compelled to be an Assessor or Collector of, or for any Part of the Subsidy, in any Place or Places out of the said City, Borough or Town Corporate, where he dwelleth.

XXV. And it is also by the said Authority enacted, That if any Inhabitant or Officer, or whatsoever Person or Persons charged to and for the Collection or Receipt of any Part or Portion of the said Subsidy, by any Manner or Means, according to this Act, or any Person or Persons for themselves, or as Keeper, Guardian, Deputy, Factor or Attorney, of or for any other Person or Persons, of any Goods and Chattels, whereof the Owner thereof, at the Time of the said Assessing to be made, being out of this Realm, or in any other Parts not known, or of and for the Goods and Chattels of any other Person or Persons, of any Corporation, Fraternity, Mystery, or other whatsoever Commonalty, being Incorporated or not Incorporated, and all Persons, having in their Rule, Governance and Custody, any Goods or Chattels at the Time of the said Assessing, or any of them, to be made, or which for any Cause, for and by Collection, or for himself, or for any other, or by reason that he hath the Rule, Governance or Custody of any Goods or Chattels, of any other Person or Persons, Corporation, Commonalty, Fraternity, Guild or Mystery, or any such other like, or as a Factor, Deputy or Attorney, of or for any Person, shall be taxed, rated, valued and set to any Sum or Sums by reason of this Act, and after the Taxation or Assessing upon any such Person or Persons as shall be charged with the Receipt of the same, happen to die, or depart from the Place where he was so taxed and set, or his Goods or Chattels be so eloined, or in such privy and covert Manner kept, as the said Person or Persons, charged with the same, by Estreats, or other Writings, from the said Commissioners, or as many of them as shall be thereunto appointed by the said Commission, as is aforesaid, can, nor may levy the same Sum or Sums, comprised within the same Estreats, by Distress, within the Limits of their Collection, as is aforesaid, or cannot sell such Distress or Distresses, as be taken for any of the said Payments, before the Time limited to the High Collector, for his Payment to be made in the Queen's Majesty's Receipt, then upon Relation thereof, with due Examination, by the Oath or Examination of such Person or Persons, as shall be charged with and for the Receipt and Collection the same before the said Commissioners, or as many of them as by the said Commission shall be thereunto appointed, where such Person or Persons, or other as is aforesaid, their Goods and Chattels, were set and taxed, and upon plain Certificate thereof made in the Queen's Majesty's Exchequer by the same Commissioners, as well of the dwelling Place, Names and Sums of the said Persons, of whom the said Sums cannot be levied and had as is aforesaid, then as well the Constables and other Inhabitants appointed for the said particular Collection, against the High Collector upon the Account and Oath in the said Exchequer, to be discharged thereof, and Process to be made for the Queen's Majesty out of the said Exchequer, by the Discretion of the Barons of the said Exchequer against such Person, his Heirs or Executors, so being behind with his Payment. And over that the same Commissioners to whom any such Declaration of the Premises

shall be made in form aforesaid, from Time to Time, shall have full Power and Authority to direct their Precept or Precepts unto the said Person or Persons charged with any Sum of, for or upon any such Person or Persons, or other as is aforesaid, or to any other Sheriff, Steward, Bailiff, or other whatsoever Officer, Minister, Person or Persons, of such Place or Places where any such Person or Persons so owing such Sum or Sums shall have Lands and Tenements, or other Hereditaments, or real Possessions, Goods and Chattels, whereby any such Person or Persons so indebted, his Heirs, Executors or Assigns, or other having the Custody Governance or Disposition, of any Goods, Chattels, Lands or Tenements, or other Hereditaments, or which ought or may by this Act lawfully be distrained or taken for the same, hath and shall have, Goods, Chattels, Lands, Tenements or other Possessions, whereof such Sum or Sums, which by any such Person or Persons may or ought to be levied, be it within the Limits of such Commission, where such Person or Persons was and were taxed, or without, in any Place within this Realm of *England, Wales*, or other the Queen's Majesty's Dominions, Marches or Territories, by which Precept as well such Person or Persons, as shall be charged to levy such Money, as the Officers of the Place or Places, where such Distress may be taken, shall have full Power and Authority, to distrain every such Person indebted, charged and chargeable by this Act, or his Executors or Administrators of his Goods and Chattels, his Guardians, Factors, Deputies, Leasees, Farmers, Assigns, and all other Persons, by whose Hands or out of whose Lands, any such Person should have Rent, Fee, Annuity, or other Profit, or which at any Time of the said Assessings shall have Goods or Chattels, or any other Thing moveable, of any such Person or Persons, being indebted, or owing such Sum, and the Distress so taken, caused to be kept, appraised and sold, in like Manner and Form as is aforesaid, for the Distress to be taken upon such Persons to be taxed to the said Subsidy, and being sufficient to distrain within the Limits of the Collectors, Inhabitants, or other Officers, charged with or for the same Sums, so upon them to be taxed. And if any such Distress for Non-payment, happen to be taken out of the Limit of the said Persons, charged and assigned to levy the same, the Persons so charged for the Levy of any such Sum by Distress, shall receive and take of the same Distress, for the Labour of every Person, going for Execution thereof, for every Mile that any such Person so laboureth for the same, Two pence. And every Farmer, Tenant, Guardian, Factor, or other whatsoever Person being distrained, or otherwise charged for Payment of any Sum or Sums, or any other Sum by reason of this Act, shall be of such Sum or Sums of him or them to be levied and taken, discharged and acquitted at his next Day of Payment of the same, or at the Delivery of such Goods and Chattels, as he that is so distrained had in his Custody and Governance, against him or them that shall be so taxed or set, any Grant or Writing obligatory, or other whatsoever Matter to the contrary made heretofore notwithstanding. And if any such Person that should be so distrained, have no Lands or Tenements sufficient whereby he or his Tenants and Farmers may be distrained, or hath eluded, aliened or hid his Goods and Chattels, whereby he should or might be distrained, in such Manner, that such Goods and Chattels shall not be known or found,

found, so that the Sum, of or by him to be paid in the said Form, shall nor can conveniently be levied; then upon relation thereof to the Commissioners, or to as many of them as by the said Commission shall be thereunto appointed, where such Person or Persons was taxed and set, by the Oaths of him or them that shall be charged with the Levy and Payment of that Sum or Sums, the same Commissioners shall make a Precept in such Manner as is aforesaid, for to attach, take and arrest, the Body of such Person or Persons, that ought to pay the said Sums, and by this Act shall be charged with and for the said Sum and Sums, and them so taken, safely to keep in Prison within the Shire or other Place, where any such Person or Persons shall be taken and attached, there to remain without Bail or Mainprise, until he hath paid the same Sum or Sums, that such Person for himself, or for any other, by this Act shall be chargeable or ought to be charged withal. And also for the Fees of every such Arrest, to him or them that shall execute such Precept Twenty pence. And that every Officer unto whom such Precept shall be directed, do his true Diligence, and execute the same upon every Person so being indebted, upon Pain to forfeit to the Queen's Majesty for every Default in that Behalf, Twenty Shillings. And that no Keeper of any Gaol, from his Gaol suffer any such Person to go at large by letting to bail or otherwise, to depart out of his Prison, before he have paid his said Debt, and the said Twenty pence for the said Arrest, upon Pain to forfeit to the Queen's Majesty Forty Shillings. And the same Gaoler to pay unto the Queen's Majesty the double Value, as well of the Rate which the said Person so imprisoned was taxed at, as of the said Twenty pence for the Fees, and like Process and Remedy in like Form shall be granted by the said Commissioners, or as many of them as by the said Commission shall be thereunto appointed, at like Information of every Person or Persons, being charged with any Sum of Money, for any other Person or Persons, by reason of the said Subsidy, and not thereof paid, but wilfully withdrawn, nor the same leviable without the Limits where such Persons were thereunto taxed. And if the Sum or Sums being behind unpaid by any Person or Persons, as is aforesaid to be levied and gathered by force of the said Process, to be made by the said Commissioners, or if in Default, or for lack of Payment thereof, the Person or Persons so owing the said Sum or Sums of Money, by Process of the same Commissioners, to be made as is aforesaid, be committed to Prison in Form aforesaid, that then the said Commissioners which shall award such Process, shall make Certificate thereof in the said Exchequer, of that shall be done in the Premises, in the Term next following, after such Sum or Sums of Money so being behind shall be levied and gathered, or such Person or Persons for Non-payment of the same committed to Prison. And if it happen any of the said Collectors to be assigned, or any Mayors, Sheriffs, Steward, Constable, the Headborough, Bursholder, Bailiff, or any other Officer or Minister, or other whatsoever Person or Persons, to disobey the said Commissioners, or any of them, in the reasonable Request to them made by the said Commissioners, for Execution of the said Commission, or if any of the Officers or other Persons do refuse that to them shall appertain and belong to do, by reason of any Precept to him or them to be directed, or any reasonable Commandment, Instance or Request, touching the Premises, or other

Default in any Appearance or Collection to make, or if any Person being suspect, or not to be indifferently taxed, as is aforesaid, do refuse to be examined according to the Tenor of this Act before the said Commissioners, or as many of them as shall be thereunto assigned, as is aforesaid, or will not appear before the same Commissioners, upon Warning to him made, or else make Resistance or Rescous, upon any Distress upon him to be taken for any Parcel of the said Subsidy, or commit any Misbehaviour in any manner of wise, contrary to this Act, or commit any wilful Omission, or other whatsoever wilful Not-doing or Mifdoing, contrary to the Tenor of this Act or Grant, the same Commissioners, and every Number of them above remembred, or Two of them at the least, upon probable Knowledge of any such Misdemeanors had by Information or Examination, shall and may set upon every such Offender for every such Offence, in name of a Fine by the same Offender to be forfeited, Forty Shillings or under, by the Discretion of the same Commissioners.

XXVI. And further, the same Commissioners, and every Number of them, or Two of them at the least, shall have Authority by this present Act, to punish every such Offender by Imprisonment, there to remain, and to be delivered by their Discretion as shall seem to them convenient, the said Fines, if any such be, to be certified by the said Commissioners that so assessed the same, into the Queen's Majesty's said Exchequer, there to be levied and paid by the Collectors of those Parts for the said Subsidy, returned into the said Exchequer, to be therewith charged with the Payment of the said Subsidy, in such Manner as if the said Fines had been set and taxed upon the said Offenders for the said Subsidy.

XXVII. It is also enacted by the said Authority of this Parliament, That every of the said High Collectors, which shall account for any Part of the said Subsidy, in the said Exchequer, upon their several said Accompts to be yielded, shall be allowed at every of the said Payments of the said Subsidy, for every Pound limited to his Collection, whereof any such Collector shall be charged, and yield Accompt, vi. d. as Parcel of their Charge, that is to say, of every Pound thereof, for such Person as then have had the particular Collection in the Towns and other Places, as is aforesaid, specified in his Collection, Two pence, and other Two pence of every Pound thereof, every of the said Chief Collectors, or their Accomptants, to retain to their own Use, for their Labour and Charge in and about the Premises, and Two pence of every Pound Residue to be delivered, allowed and paid for the said Collectors, so being thereof allowed, to such of the Commissioners as shall take upon them the Business and Labour for and about the Premises, (that is to say,) every Collector to pay that Commissioner or Commissioners which had the ordering of the Writings, of and for the said Subsidy, where the said Collector or Collectors had their Collection, for Expences of the said Commissioners, so taking upon them the said Business, and Labour of their Clerks, writing the said Precepts and Estreats for the said Collections, the same last Two pence of every Pound to be divided amongst the said Commissioners, having Regard to their Labour and Business taken by them or their said Clerks in and about the Premises, for the which Part so to the said Commissioners attaining, the said Commissioners, Six, Five, Four, Three,

or as many of them as shall be thereunto appointed by the Queen's Majesty's Commission, and every of them jointly and severally for his and their said Part, may have his Remedy against the said Collector or Collectors, which thereof been and might have been allowed, by Action of Debt, in which the Defendant shall not wage his Law, neither Protection, neither Injunction or other Essoin shall be allowed. And that no Person now being of the Number of the Company of this present Parliament, nor any Commissioner, shall be named or assigned to be any Collector or Sub-collector, or Presentor of the said Subsidy, or of any Part thereof, nor no Commissioners shall be compelled to make any Presentment or Certificate, other than in the Queen's Majesty's said Exchequer, of, for, or concerning the said Subsidy, or any Part thereof. And likewise, that none other Person that shall be named or assigned to be Commissioners in any Place, to and for the Execution of this Act of Subsidy, be or shall be assigned or named Head Collectors of any of the Payments of the said Subsidy, neither of any Part thereof. And that every such Person or Persons which shall be named and appointed as is aforesaid to be Head Collectors, in and for the First Payments of this Subsidy, shall not be compelled to be Collector for the Second Payment of the said Subsidy, or for any Part thereof. And the said Collectors which shall be assigned for the Collection of the said Subsidy, or for any Part thereof, and every of them, be and shall be acquitted and discharged of all manner Fees, Rewards, and of every other Charges in the Queen's Majesty's Exchequer, or elsewhere, of them or any of them, by Reason of that Collection, Payment or Accompts, or any Thing concerning the same to be asked. And that if any Person receive and take any Fees, Rewards or Pleasures of any such Accompt, that then he shall forfeit to the Queen's Majesty for every Penny, or the Value of Penny so taken, v.s. and suffer Imprisonment at the Queen's Majesty's Pleasure. And after the taxing and assessing of the said Subsidy, as is aforesaid, had or made, and the said Estreats thereof in Parchment, unto the Collector in Manner and Form before rehearsed, delivered, the said Commissioners which shall take upon them the Execution of this Act, within the Limits of their Commission, by their Agreements, shall have Meeting together, at which Meeting every of the said Commissioners which then shall have taken upon them the Execution of any Part of the said Commission, shall by himself, or by his sufficient Deputy, truly certify and bring forth unto the said Commissioners named in the said Commission, the Certificate and Presentment made before him, and such other Commissioners as were limited with him in One Limit, so that the same Certificate may be accounted and cast with the other Certificates of the other Limits within the same Commission: and then the said Commissioners, and every Number of them, unto Two at the least, as is aforesaid, if any be in Life, or their Executors or Administrators of their Goods, if they then be dead, shall jointly and severally as they were divided within their Limits, under their Seals by their Discretion, make one or several Writings indented, containing in it as well the Names of the said Collectors by the Commissioners, for such Collection and Account in the Exchequer, and Payment in the said Receipt, deputed and assigned, as the gross and several Sums written unto every such Collector, to receive the said Subsidy.

Default in any Appearance or Collection to make, or if any Person being suspect, or not to be indifferently taxed, as is aforesaid, do refuse to be examined according to the Tenor of this Act before the said Commissioners, or as many of them as shall be thereunto assigned, as is aforesaid, or will not appear before the same Commissioners, upon Warning to him made, or else make Resistance or Rescous, upon any Distress upon him to be taken for any Parcel of the said Subsidy, or commit any Misbehaviour in any manner of wise, contrary to this Act, or commit any wilful Omission, or other whatsoever wilful Not-doing or Misdoing, contrary to the Tenor of this Act or Grant, the same Commissioners, and every Number of them above remembred, or Two of them at the least, upon probable Knowledge of any such Misdemeanors had by Information or Examination, shall and may set upon every such Offender for every such Offence, in name of a Fine by the same Offender to be forfeited, Forty Shillings or under, by the Discretion of the same Commissioners.

XXVI. And further, the same Commissioners, and every Number of them, or Two of them at the least, shall have Authority by this present Act, to punish every such Offender by Imprisonment, there to remain, and to be delivered by their Discretion as shall seem to them convenient, the said Fines, if any such be, to be certified by the said Commissioners that so assessed the same, into the Queen's Majesty's said Exchequer, there to be levied and paid by the Collectors of those Parts for the said Subsidy, returned into the said Exchequer, to be therewith charged with the Payment of the said Subsidy, in such Manner as if the said Fines had been set and taxed upon the said Offenders for the said Subsidy.

XXVII. It is also enacted by the said Authority of this Parliament, That every of the said High Collectors, which shall accompt for any Part of the said Subsidy, in the said Exchequer, upon their several said Accompts to be yielded, shall be allowed at every of the said Payments of the said Subsidy, for every Pound limited to his Collection, whereof any such Collector shall be charged, and yield Accompt, vi. d. as Parcel of their Charge, that is to say, of every Pound thereof, for such Person as then have had the particular Collection in the Towns and other Places, as is aforesaid, specified in his Collection, Two pence, and other Two pence of every Pound thereof, every of the said Chief Collectors, or their Accomptants, to retain to their own Use, for their Labour and Charge in and about the Premises, and Two pence of every Pound Residue to be delivered, allowed and paid for the said Collectors, so being thereof allowed, to such of the Commissioners as shall take upon them the Business and Labour for and about the Premises, (that is to say,) every Collector to pay that Commissioner or Commissioners which had the ordering of the Writings, of and for the said Subsidy, where the said Collector or Collectors had their Collection, for Expences of the said Commissioners, so taking upon them the said Business, and Labour of their Clerks, writing the said Precepts and Estraits for the said Collections, the same last Two pence of every Pound to be divided amongst the said Commissioners, having Regard to their Labour and Business taken by them or their said Clerks in and about the Premises, for the which Part so to the said Commissioners attaining, the said Commissioners, Six, Five, Four, Three,

or

or as many of them as shall be thereunto appointed by the Queen's Majesty's Commission, and every of them jointly and severally for his and their said Part, may have his Remedy against the said Collector or Collectors, which thereof been and might have been allowed, by Action of Debt, in which the Defendant shall not wage his Law, neither Protection, neither Injunction or other Effoin shall be allowed. And that no Person now being of the Number of the Company of this present Parliament, nor any Commissioner, shall be named or assigned to be any Collector or Sub-collector, or Presenter of the said Subsidy, or of any Part thereof, nor no Commissioners shall be compelled to make any Presentment or Certificate, other than in the Queen's Majesty's said Exchequer, of, for, or concerning the said Subsidy, or any Part thereof. And likewise, that none other Person that shall be named or assigned to be Commissioners in any Place, to and for the Execution of this Act of Subsidy, be or shall be assigned or named Head Collectors of any of the Payments of the said Subsidy, neither of any Part thereof. And that every such Person or Persons which shall be named and appointed as is aforesaid to be Head Collectors, in and for the First Payments of this Subsidy, shall not be compelled to be Collector for the Second Payment of the said Subsidy; or for any Part thereof. And the said Collectors which shall be assigned for the Collection of the said Subsidy, or for any Part thereof, and every of them, be and shall be acquitted and discharged of all manner Fees, Rewards, and of every other Charges in the Queen's Majesty's Exchequer, or elsewhere, of them or any of them, by Reason of that Collection, Payment or Accompts, or any Thing concerning the same to be asked. And that if any Person receive and take any Fees, Rewards or Pleasures of any such Accompt, that then he shall forfeit to the Queen's Majesty for every Penny, or the Value of Penny so taken, v. s. and suffer Imprisonment at the Queen's Majesty's Pleasure. And after the taxing and assessing of the said Subsidy, as is aforesaid, had or made, and the said Estreats thereof in Parchment, unto the Collector in Manner and Form before rehearsed, delivered, the said Commissioners which shall take upon them the Execution of this Act, within the Limits of their Commission, by their Agreements, shall have Meeting together, at which Meeting every of the said Commissioners which then shall have taken upon them the Execution of any Part of the said Commission, shall by himself, or by his sufficient Deputy, truly certify and bring forth unto the said Commissioners named in the said Commission, the Certificate and Presentment made before him, and such other Commissioners as were limited with him in One Limit, so that the same Certificate may be accounted and cast with the other Certificates of the other Limits within the same Commission: and then the said Commissioners, and every Number of them, unto Two at the least, as is aforesaid, if any be in Life, or their Executors or Administrators of their Goods, if they then be dead, shall jointly and severally as they were divided within their Limits, under their Seals by their Discretion, make one or several Writings indented, containing in it as well the Names of the said Collectors by the Commissioners, for such Collection and Account in the Exchequer, and Payment in the said Receipt, deputed and assigned, as the gross and several Sums written unto every such Collector, to receive the said Subsidy.

men and Burgeſſes of the ſaid Borough and Town of *Stamford*.

XXIX. Provided always, and be it enacted by the Authority aforeſaid, That all and every Perſon and Perſons, having Manors, Lands, Tenements and other Hereditaments, chargeable to the Payment of the Subſidy granted to the Queen's Maſteſty by this Act, and alſo having Spiritual Poſſeſſions chargeable to her ſaid Maſteſty by the Grant made by the Clergy of this Realm in their Convocation, and over this having Subſtance in Goods and Chattels chargeable by this ſaid Act, that then if any of the ſaid Perſon or Perſons be hereafter charged, aſſeſſed and taxed for the ſaid Manors, Lands and Tenements, and Spiritual Poſſeſſions, and alſo aſſeſſed, charged and taxed for his or their Goods and Chattels, that then he or they ſhall be only charged by virtue of this Act for his and their ſaid Manors, Lands, Tenements, Hereditaments and Spiritual Poſſeſſions, or only for his ſaid Goods and Chattels, the beſt thereof to be taken for the Queen's Maſteſty, and not to be charged for both, or double charged for any of them; any Thing in this Act contained to the contrary in any wiſe notwithstanding.

XXX. Provided always, that this Grant of Subſidy, nor any Thing therein contained, in any wiſe extend to charge the Inhabitants or Dwellers in *Ireland*, *Jerſey* and *Guernſey*, or any of them, of or concerning any Manors, Lands, Tenements or other Poſſeſſions, Goods, Chattels or other moveable Subſtance, which the ſaid Inhabitants or Dwellers, or any to their Uſe, have within *Ireland*, *Jerſey* and *Guernſey*, or in any of them, or of, for or concerning any Fees or Wages, which any of the ſaid Inhabitants or Dwellers have of the Queen's Maſteſty for their Attendance and doing Service to our Sovereign Lady, in *Ireland*, *Jerſey*, *Guernſey*, or in any of them; any Thing in this preſent Act to the contrary in any wiſe notwithstanding.

XXXI. Provided alſo, That this preſent Act of Subſidy, ne any Thing therein contained, extend to any of the *Engliſh* Inhabitants, or Reſiants in any of the Counties of *Northumberland*, *Cumberland*, *Weſtmoreland*, the Town of *Berwick*, the Town of *Newcaſtle upon Tyne*, and the Biſhoprick of *Durham*, nor to any of them, of, for or concerning any Manors, Lands, Tenements or other Poſſeſſions, Goods, Chattels or other moveable Subſtance, which the ſame Inhabitants or Dwellers, or any other to their Uſe, have within the ſaid Counties of *Northumberland*, *Cumberland*, *Weſtmoreland*, or the Town of *Berwick*, the Town of *Newcaſtle upon Tyne*, or the Biſhoprick of *Durham*, or any of them, or of, for or concerning any Fees or Wages which any of the ſaid Inhabitants or Dwellers have of the Queen's Maſteſty, for their Attendance and doing Service to the Queen's Maſteſty, for or within the ſaid Counties of *Northumberland*, *Cumberland*, *Weſtmoreland*, the Town of *Berwick*, the Town of *Newcaſtle upon Tyne*, and the Biſhoprick of *Durham*, or any of them, to or for the ſaid taxing, levying, gathering or Payment, but that the *Engliſh* Inhabitants and Reſiants, and every of them, of the ſaid Counties, Biſhoprick and Towns, and every of them, ſhall be of and from the ſaid Subſidy, and every Parcel thereof, and for their Manors, Lands, Tenements, Fees, Wages, Goods and Chattels, lying and being in the ſaid Counties, Towns and Biſhoprick, or any of them,

them, utterly acquitted and discharged; any Thing in this present Act before rehearsed to the contrary notwithstanding.

XXXII. Provided also, That all Letters Patents granted by the Queen's Majesty, or any of her most noble Progenitors, to any Cities, Boroughs or Towns within this Realm, of any Manner of Liberties, Privileges or Exemptions, from the Burden and Charge of any such Grants of Subsidies, which be at this present Time in force and available, shall remain good and effectual to the said Cities, Boroughs and Towns hereafter, according to the Purports thereof, though the Inhabitants of the same, shall upon the great and weighty Consideration of the Grant aforesaid, be for this Grant charged and contributory, in like Manner, Form and Sort, as other Cities, Boroughs and Towns which be not in any wise privileged, be from such Grant of Subsidy excepted.

XXXIII. Provided always, and be it enacted by the Authority aforesaid, That no Orphan, or Infant within the Age of One and twenty Years, born within any the Queen's Majesty's Dominions, shall be charged to any Payment of this Subsidy, for his or her Goods and Chattels, to him or her left or bequeathed; any Thing in this Act contained to the contrary notwithstanding.

XXXIV. Provided also, That this Act, nor any Thing therein contained, shall extend to the Goods or Lands of any College, Hall or Hostell, within the Universities of *Oxford* and *Cambridge*, or any of them, or to the Goods or Lands of the College of *Winton*, founded by Bishop *Wickham*, or to the Goods or Lands of the College of *Eton* next *Windfor*, or to the Goods or Lands of any common free Grammar School within the Realm of *England* or *Wales*, or to the Goods of any Reader, Schoolmaster or Scholar, or any Graduate within the said Universities and Colleges, or any of them, there remaining for Study, without Fraud or Covin, or to the Goods and Lands of any Hospital, *Meason de Dieu*, or Spital House, prepared and used for the Sustentation and Relief of poor People; any Thing in this Act contained to the contrary in any wise notwithstanding.

XXXV. Provided also, and be it enacted, That sofarasmuch as divers and sundry of the Queen's Majesty's Tenants, and other Inhabitants and Dwellers within the Counties of *Pembroke*, *Carmarthen*, *Cardigan*, *Glamorgan*, *Brecknock*, *Radnor*, *Montgomery*, *Denbigh*, *Flint*, *Merioneth*, *Anglesey*, *Carnarvon*, and of the County Palatine of *Chester*, be at this present Time charged and chargeable with the several Payments of divers great Sums of Money by the Name of Mise, due to her Majesty, according to the several Customs of the said Counties.

XXXVI. Be it therefore ordained and enacted by the Authority aforesaid, That this Act of Subsidy, or any Thing therein contained, shall not extend to charge any of the Queen's Tenants, and other Inhabitants and Dwellers within any of the said Counties of *Pembroke*, *Carmarthen*, *Cardigan*, *Glamorgan*, *Brecknock*, *Radnor*, *Montgomery*, *Denbigh*, *Flint*, *Merioneth*, *Anglesey*, *Carnarvon*, and the County Palatine of *Chester*, being charged or chargeable with the said Mise, for or in any of the Payments of the said Subsidy granted to the Queen's Majesty by this Act, until the said several Days and Times for the Payment of the said Mises shall be expired, and until the Days and Times of the several Subsidies, lately granted to our late Sovereign Lord and Sovereign

reign Lady, King *Philip* and Queen *Mary*, be also past and expired; and that then the First Payment of the said Subsidy granted by this present Act, shall be made at the Receipt of the Queen's Exchequer, before the First Day of *March* next following, after the last Days of the last Payment to be had or appointed of the said Mises, and of the Payment of the said former Subsidies. And the Second Payment of this Subsidy to be made by or before the First Day of *March* next after the said First Payment of the said Subsidy.

XXXVII. Furthermore, be it enacted by the Authority aforesaid, That the Tenants and Dwellers of every of the said Counties in this Proviso remembered, shall severally before the Feast of *Pentecost* next ensuing, certify into the said Court of Exchequer, under the Seals of Two Justices of Peace of every of the said Counties, whereof one to be of the *Quorum*, when and what Day the last Payment of the said several Mises now due in any of the said Courts shall end and expire.

XXXVIII. Provided also, That the said Grant of Subsidy, or any other Thing therein contained, do not in any wise extend to be prejudicial or hurtful to the Inhabitants or Resiants at this present Time within the Five Ports Corporate, or to any of their Members Incorporate, or united to the same Five Ports, or to any of the same Five Ports, of or for any Part or Parcel of the said Sums granted in this Parliament of the said Inhabitants now resiant, or any of them, to be taxed, set, asked, levied or paid. But the said Inhabitants and Resiants in the said Five Ports, and their Members, be and shall be of and from the said Grant and Payment of the said Subsidy, during their Resiance there, and no longer, clearly acquitted and discharged; any Matter or whatsoever Thing in this present Act had or made to the contrary notwithstanding.

C A P. XXII.

EXP.

An Act giving Authority to the Queen during her Life to make Ordinances in Collegiate Churches and Schools.

FORASMUCH as certain Cathedral and Collegiate Churches and other Ecclesiastical Incorporations, and some Schools, have been erected, founded or ordained by the late Kings of worthy Memory, King *Henry* the Eighth, and King *Edward* the Sixth, or by either of them, or by our late Sovereign Lady Queen *Mary*, and by the late Lord Cardinal *Pool*, not having as yet ordained and established such good Orders, Rules and Constitutions as should be meet and convenient for the good Order, Safety and Continuance of the same: Be it therefore enacted by the Authority of this present Parliament, That the Queen's Majesty during her natural Life (which our Lord God long preserve) shall by virtue of this Act have full Power and Authority to make and prescribe unto every of the foresaid Churches, Incorporations and Schools, and unto all and every the Officers, Ministers and Scholars in them, or in any of them, and to their Successors for ever, such Statutes, Ordinances and Orders, as well for the good Use and Government of themselves, being Officers, Ministers or Scholars, and for the Order of their Service,

vice, Ministry, Functions and Duties, as also for their Houses, Lands, Tenths, Revenues and Hereditaments, with the Appurtenances. And further, that her Majesty shall and may, at her Pleasure, alter or change, augment or diminish, all and every the Statutes, Ordinances and Orders, of the aforesaid Churches, Corporations and Schools, from Time to Time, as to her Majesty shall seem expedient. And be it further enacted by the Authority of this present Parliament, That the said Churches, Incorporations and Schools, or any of them, and all and every Person and Persons in the same, for the which the Queen's Majesty shall make or appoint any Statutes, Ordinances or Orders, or shall alter, change, diminish or augment any Orders, Rules or Ordinances, and let forth the same under her Majesty's Great Seal of *England*, shall from thenceforth keep, preserve and observe all the same Statutes, Orders and Ordinances; any former Rules, Laws or Constitutions in any wise notwithstanding: And that all the said Statutes, Orders, Ordinances and Rules so made, ordained and set forth under her Majesty's Great Seal, as is aforesaid, shall be and remain good and effectual, to all Intents and Purposes, and be observed and kept according to the true Intent and Purport of the same, without Alteration or Violation of them or any of them.

[Caps. 20, 21 and 22. not on the Roll.]

Anno quinto Reginae ELIZABETHÆ.
(A.D. 1562.)

STATUTES made in the Parliament holden at Westminster the xiii. Day of January in the Fifth Year of the Reign of our most gracious and excellent Sovereign Lady ELIZABETH, by the Grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c. viz.

C A P. I.

An Act for the Assurance of the Queen's Majesty's Royal Power over all Estates and Subjects within her Highness Dominions.

FOR Preservation of the Queen's most excellent Highness, her Heirs and Successors, and the Dignity of the Imperial Crown of this Realm of *England*, and for avoiding both of such Hurts, Perils, Dishonours and Inconveniencies as have before-time befallen, as well to the Queen's Majesty's Noble Progenitors, Kings of this Realm, as for the whole Estate thereof, by Means of the Jurisdiction and Power of the See of *Rome*, unjustly claimed and usurped within this Realm and the Dominions thereof, and also of the Dangers by the Fautors of the said

‘ said usurped Power, at this Time grown to marvellous Outrage
 ‘ and licentious Boldness, and now requiring more sharp Restraining
 ‘ and Correction of Laws, than hitherto in the Time of the
 ‘ Queen’s Majesty’s most mild and merciful Reign have been had,
 ‘ used or established :’

Maintaining the
 Authority of the
 Bishop or See of
 Rome.

II. Be it therefore enacted, ordained and established by the Queen our Sovereign Lady, and the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That if any Person and Persons dwelling, inhabiting or residing within this Realm, or within any other the Queen’s Dominions, Seigniories or Countries, or in the Marches of the same, or elsewhere within or under her Obedience and Power, of what Estate, Dignity, Preheminence, Order, Degree or Condition soever he or they be, after the First Day of *April* which shall be in the Year of our Lord God One thousand five hundred sixty three, shall by writing, cyphering, printing, preaching or teaching, Deed or Act, advisedly and wittingly hold or stand with, to extol, set forth, maintain or defend the Authority, Jurisdiction or Power of the Bishop of *Rome*, or of his See, heretofore claimed, used or usurped within this Realm, or in any Dominion or Country, being of, within or under the Queen’s Power or Obedience; or by any Speech, open Deed or Act, advisedly and wittingly attribute any such Manner of Jurisdiction, Authority or Preheminence to the said See of *Rome*, or to any Bishop of the same See for the Time being, within this Realm, or in any the Queen’s Dominions or Countries; that then every such Person or Persons so doing or offending, their Abettors, Procurers and Counsellors, and also their Aiders, Assistants and Comforters, upon Purpose, and to the Intent to set forth, further and extol the said usurped Power, Authority or Jurisdiction of any of the said Bishop or Bishops of *Rome*, and every of them, being thereof lawfully indicted or presented within One Year next after any such Offences by him or them committed, and being lawfully convicted or attainted at any Time after, according to the Laws of this Realm, for every such Default and Offence, shall incur into the Dangers, Penalties, Pains and Forfeitures ordained and provided by the Statute of Provision and *Premunire*, made in the Sixteenth Year of the Reign of King *Richard* the Second.

Premunire.
 16 R. 2. c. 5.

Who may en-
 quire of and cer-
 tify Offences.

III. And it is also enacted by the Authority aforesaid, That as well Justices of Assize in their Circuits, as Justices of Peace within the Limits of their Commission and Authorities, or Two of every such Justices of Peace at the least, whereof one to be of the *Quorum*, shall have full Power and Authority by virtue of this Act, in their Quarter or open Sessions, to enquire of all Offences, Contempts and Transgressions, perpetrated, committed or done contrary to the true Meaning of the Premises, in like Manner and Form as they may of other Offences against the Queen’s Peace; and shall certify every Presentment afore them or any of them had or made concerning the same, or any Part thereof, before the Queen, her Heirs and Successors, in her or their Court, commonly called the King’s Bench, within Forty Days next after any such Presentment had or made, if the Term be then open, and if not, at the First Day of the full Term next following the said

Default of Cer-
 tificate.

said Forty Days; upon Pain that every of the Justices of Assise, or Justices of the Peace, before whom such Presentment shall be made, making Default of such Certificate contrary to this Statute, to lose and forfeit for every such Default One hundred Pounds Penalty. to the Queen's Highness, her Heirs and Successors.

IV. And it is enacted by the Authority aforesaid, That the Justices of the King's Bench, as well upon every such Certificate, as by Enquiry before themselves, within the Limits of their Authorities, shall have full Power and Authority to hear, order and determine every such Offence done or committed contrary to the true Meaning of this present Act, according to the Laws of this Realm, in such like Manner and Form, to all Intents and Purposes, as if the Person or Persons against whom any Presentment shall be had upon this Estatute had been presented upon any Matter or Offence expressed in the said Estatute made, in the said Sixteenth Year of the Reign of King *Richard the Second*.

V. And moreover, be it enacted by the Authority aforesaid, That as well all Manner of Persons expressed and appointed in and by the Act made in the First Year of the Queen's Majesty's Reign that now is, intituled, *An Act restoring to the Crown the ancient Jurisdiction over the Estate Ecclesiastical and Spiritual, and abolishing all foreign Powers repugnant to the same*, to take the Oath expressed and set forth in the same, as all other Persons which have taken or shall take Orders, commonly called *Ordines Sacros*, or Ecclesiastical Orders, have been or shall be promoted, preferred or admitted to any Degree of Learning in any University within this Realm or Dominions to the same belonging; and all Schoolmasters and publick and private Teachers of Children, as also all Manner of Person and Persons, that have taken or hereafter shall take any Degree of Learning in or at the Common Laws of this Realm, as well Utter-Barristers as Benchers, Readers, Ancients in any House or Houses of Court, and all Principal Treasurers, and such as be of the Grand Company of every Inn of Chancery, and all Attornies, Prothonotaries and Philizers, towards the Laws of this Realm, and all Manner of Sheriffs, Escheators and Feodaries, and all other Person and Persons which have taken or shall take upon him or them; or have been or shall be admitted to any Ministry or Office, in, at or belonging to the Common Law, or any other Law or Laws, of, to or for the Execution of them, or any of them, used or allowed, or at any Time hereafter to be used or allowed within this Realm, or any of the Dominions or Countries belonging, or which hereafter shall happen to belong, to the Crown or Dignity of the same, and all other Officers or Ministers of or towards any Court whatsoever, and every of them, shall take and pronounce a Corporal Oath upon the Evangelists, before he or they shall be admitted, allowed or suffered to take upon him or them to use, exercise, supply or occupy any such Vocation, Office, Degree, Ministry, Room or Service, as is aforesaid, and that in the open Court whereunto he doth or shall serve or belong: And if he or they do not or shall not serve or belong to any ordinary or open Court, then he or they shall take and pronounce the Oath aforesaid, in an open Place before a convenient Assembly, to witness the same, and before such Person or Persons as have or shall have Authority by common Use or otherwise, to admit or call any such Person or Persons, as is

Oath 1 Eliz. c. 2.
to be taken by
sundry Persons.

aforesaid, to any such Vocation, Office, Ministry, Room or Service, or else before such Person or Persons, as by the Queen's Highness, her Heirs or Successors, by Commission under the Great Seal of England, shall be named or assigned, to accept and take the same, according to the Tenour, Effect and Form of the same Oath *verbatim*, which is, and as it is already set forth to be taken, in the aforesaid Act made in the First Year of the Queen's Majesty's Reign. [See Note to 1 Eliz. 1. § 19.]

1 Eliz. c. 1.

Bishop may tender Oath to Spiritual Person.

VI. And also be it enacted by the Authority of this present Parliament, That every Archbishop and Bishop within this Realm, and Dominions of the same, shall have full Power and Authority by virtue of this Act, to tender or minister the Oath aforesaid to every or any Spiritual or Ecclesiastical Person within their proper Diocese, as well in Places and Jurisdictions exempt as elsewhere.

Lord Chancellor may direct a Commission to take the Oath.

VII. And be it enacted by the Authority aforesaid, That the Lord Chancellor or Keeper of the Great Seal of England for the Time being shall and may at all Times hereafter, by virtue of this Act, without further Warrant, make and direct a Commission or Commissions, under the Great Seal of England, to any Person or Persons, giving them or some of them thereby Authority to tender and minister the Oath aforesaid, to such Person or Persons, as by the aforesaid Commission or Commissions the said Commissioners shall be authorized to tender the same Oath unto.

First Refusal of the Oath.

VIII. And be it also further enacted by the Authority of this present Parliament, That if any Person or Persons appointed or compellable by this Act, or by the said Act made in the said First Year, to take the said Oath, or if any Person or Persons to whom the said Oath by any such Commission or Commissions shall be limited and appointed to be tendred, as is aforesaid, do or shall, at the Time of the said Oath so tendred, refuse to take or pronounce the said Oath in Manner and Form aforesaid, that then the Party so refusing, and being thereof lawfully indicted or presented within One Year next after any such Refusal, and convicted or attainted at any Time after, according to the Laws of this Realm, shall suffer and incur the Dangers, Penalties, Pains and Forfeitures ordained and provided by the Statute of Provision and *Premunire* aforesaid, made in the Sixteenth Year of the Reign of King Richard the Second.

Premunire.
26 R. 2. c. 5.

Certificate of Refusal into the King's Bench.

IX. And furthermore be it enacted by the Authority aforesaid, That all and every such Person and Persons, having Authority to tender the Oath aforesaid, shall within Forty Days next after such Refusal or Refusals of the said Oath, if the Term be then open, and if not, then at the First Day of the full Term next following the said Forty Days, make true Certificate under his or their Seal or Seals of the Names, Places and Degrees of the Person or Persons so refusing the same Oath, before the Queen, her Heirs or Successors, in her or their Court, commonly called the King's Bench; upon Pain that every of the said Persons having such Authority to tender the said Oath, making Default of such Certificate, shall for every such Default forfeit an Hundred Pound to the Queen's Highness, her Heirs or Successors; and that the Sheriff of the County where the said Court, commonly called the King's Bench, shall for the Time be holden, shall or may by virtue of this Act impanel a Jury of the same County, to enquire of and upon every such Refusal and Refusals; which Jury shall

Penalty.

shall or may, upon every such Certificate, and other Evidence to them in that Behalf to be given, by virtue of this Act, proceed to indict the Person and Persons so offending in such Sort and Degree, to all Intents and Purposes, as the same Jury may do of any Offence or Offences against the Queen's Majesty's Peace, perpetrated, committed or done within the same County, of and for which the same Jury is so impanelled.

Indictment of
the Offender.

X. And for stronger Defence and Maintenance of this Act, it is further ordained, enacted and established by the Authority aforesaid, That if any such Offender or Offenders, as is aforesaid, of the First Part or Branch of this Estatute, that is to say, by Writing, Cyphering, Printing, Preaching or Teaching, Deed or Act, advisedly and wittingly hold or stand with, to extol, set forth, maintain or defend the Authority, Jurisdiction or Power of the Bishop of Rome, or of his See heretofore claimed, used or usurped within this Realm, or in any Dominion or Country, being of, within or under the Queen's Power and Obeysance; or by any Speech, open Deed or Act, advisedly and wittingly attribute any such Manner of Jurisdiction, Authority or Preheminence to the said See of Rome, or to any Bishop of the same See for the Time being within this Realm, or in any the Queen's Dominions or Countries; or be to any such Offender or Offenders abetting, procuring or counselling, or aiding, assisting or comforting, upon purpose, and to the Intent to set forth, further and extol the said usurped Power, Authority or Jurisdiction, after such Conviction and Attainder as is aforesaid, do eftsoons commit or do the said Offences or any of them, in Manner and Form aforesaid, and be thereof duly convicted and attainted as is aforesaid.

Second Time
maintaining Au-
thority of Bishop
or See of Rome,
or refusing Oath.

XI. And also, That if any the Persons above named and appointed by this Act to take the Oath aforesaid, do after the Space of Three Months next after the first Tender thereof, the Second Time refuse to take and pronounce, or do not take and pronounce the same, in Form aforesaid to be tendered, that then every such Offender or Offenders, for the same Second Offence and Offences, shall forfeit, lose and suffer such like and the same Pains, Forfeitures, Judgment and Execution, as is used in Cases of High Treason.

Second Refusal
of Oath.

Treason.

XII. Provided always, That this Act, nor any Thing therein contained, nor any Attainder to be had by Force and Virtue of this Act, shall not extend to make any Corruption of Blood, the Disheriting of any Heir, Forfeiture of Dower, nor to the Prejudice of the Right or Title of any Person or Persons, other than the Right or Title of the Offender or Offenders, during his, her or their natural Lives only.

No Corruption
of Blood, &c.

XIII. And that it shall and may be lawful to every Person and Persons, to whom the Right or Interest of any Lands, Tenements or Hereditaments, after the Death of any such Offender or Offenders, should or might have appertained, if no such Attainder had been, to enter into the same, without any *Ouster le main* (a) to be sued in such Sort as he or they might have done, if this Act had never been had ne made.

(a) [OUSTER LE MAIN taken away

12 Car. 2. c. 24. § 4.]

XIV. Provided also, That the Oath expressed in the said Act made in the said First Year, shall be taken and expounded in such Form as is set forth, as an Admonition annexed to the Queen's

Oath 1 Eliz. c. 1.
expounded.

Majesty's Injunctions, published in the First Year of her Majesty's Reign; that is to say, to confess and acknowledge in her Majesty, her Heirs and Successors, none other Authority than that was challenged and lately used by the Noble King *Henry* the Eighth and King *Edward* the Sixth, as in the said Admonition more plainly may appear.

In what Places
Act shall be
published.

XV. And be it enacted by the Authority aforesaid, That this Act shall be openly read, published and declared at every Quarter-Sessions by the Clerk of the Peace, and at every Leet and Law-day by the Steward of the Court, and once in every Term in the open Hall of every House and Houses of Court and Chancery, at the Times, and by the Persons thereunto to be limited and appointed by the Lord Chancellor or Keeper of the Great Seal for the Time being.

Knight, &c. of
Parliament to
take the Oath.

XVI. And be it further enacted, That every Person which hereafter shall be elected or appointed a Knight, Citizen or Burgeis, or Baron for any of the Five Ports, for any Parliament or Parliaments hereafter to be holden, shall from henceforth, before he shall enter into the Parliament-house, or have any Voice there, openly receive and pronounce the said Oath before the Lord Steward for the Time being, or his Deputy or Deputies for that Time to be appointed; and that he which shall enter into the Parliament-house without taking the said Oath, shall be deemed no Knight, Citizen, Burgeis nor Baron for that Parliament, nor shall have any Voice, but shall be to all Intents, Constructions and Purposes, as if he had never been returned nor elected Knight, Citizen, Burgeis or Baron for that Parliament, and shall suffer such Pains and Penalties, as if he had presumed to sit in the same without Election, Return or Authority.

Penalty.

Peers not
compelled to take
the Oath.

XVII. Provided always, That forasmuch as the Queen's Majesty is otherwise sufficiently assured of the Faith and Loyalty of the Temporal Lords of her High Court of Parliament; therefore this Act, nor any Thing therein contained, shall not extend to compel any Temporal Person, of or above the Degree of a Baron of this Realm, to take or pronounce the Oath aforesaid, nor to incur any Penalty limited by this Act, for not taking or refusing the same; any Thing in this Act to the contrary in any wise notwithstanding.

Charitable giving
of Alms.

XVIII. Provided, and be it enacted by the Authority aforesaid, That charitable giving of reasonable Alms to any of the Offender or Offenders above specified, without Fraud or Covin, shall not be taken or interpreted to be any such Abetment, Procuring, Counselling, Aiding, Assisting or Comforting, as thereby the Giver of such Alms shall incur any Pain, Penalty or Forfeiture appointed in this Act.

Peers offending
how to be tried.

XIX. Provided also, and be it enacted by the Authority of this present Parliament, That if any Peer of this Realm shall hereafter offend contrary to this Act, or any Branch or Article thereof, that in that and all such Case and Cases they shall be tried by their Peers, in such Manner and Form as in other Cases of Treasons they have used to be tried, and by none other Means.

Who only shall be
compelled to take
the Oath upon
the Second Term-
day.

XX. Provided also further, and be it enacted, That no Person shall be compelled by virtue of this Act to take the Oath above mentioned, at or upon the Second Time of offering the same, according to the Form appointed by this Statute, except the same Person

Person hath been, is or shall be an Ecclesiastical Person, that had, hath or shall have in the Time of one of the Reigns of the Queen's Majesty's most noble Father, Brother or Sister, or in the Time of the Reign of the Queen's Majesty, her Heirs or Successors, Charge, Cure or Office in the Church; or such Person or Persons as had, hath or hereafter shall have, any Office or Ministry in any Ecclesiastical Court of this Realm, under any Archbishop or Bishop, in any the Times or Reigns aforesaid; or such Person or Persons as shall wilfully refuse to observe the Orders and Rites for Divine Service, that be authorised to be used and observed in the Church of *England*, after that he or they shall be publicly by the Ordinary, or some of his Officers for Ecclesiastical Causes, admonished to keep and observe the same; or such as shall openly and advisedly deprave by Words, Writings or any other open Fact, any of the Rites and Ceremonies at any Time used and authorised to be used in the Church of *England*; or that shall say or hear the private Mass prohibited by the Laws of this Realm; and that all such Persons shall be compellable to take the Oath upon the Second Tender or Offer of the same, and incur the Penalties for not taking of the said Oath, and none other.

XXI. And forasmuch as it is doubtful, whether by the Laws of this Realm there be any Punishment for such as kill or slay any Person or Persons attainted in or upon a *Premunire*; Be it therefore enacted by Authority aforesaid, That it shall not be lawful to any Person or Persons, to slay or kill any Person or Persons in any Manner attainted, or hereafter to be attainted, of, in or upon any *Premunire*, by Pretence, Reason or Authority of any Judgment given, or hereafter to be given, in or upon the same, or by Pretence, Reason or Force of any Word or Words, Thing or Things contained or specified in any Statute, or Law of Provision and *Premunire* or in any of them; any Law, Statute or Opinion, or Exposition of any Law or Statute to the contrary in any wise notwithstanding.

Unlawful to slay one attainted in a *Premunire*.

XXII. Saving always the due Execution of all and every Person and Persons attainted, or to be attainted, for any Offence whereupon Judgment of Death now is or ought to be, or hereafter may lawfully be given, by reason of this Statute or otherwise: And saving always all and every such Pains of Death, or other Hurt or Punishment, as heretofore might, without Danger of Law, be done upon any Person or Persons that shall send or bring into this Realm, or any other the Queen's Dominions, or within the same, shall execute any Summons, Sentence, Excommunication or other Process against any Person or Persons, from the Bishop of *Rome* for the Time being, or by or from the See of *Rome*, or the Authority or Jurisdiction of the same See.

Punishments inflicted by former Laws.

XXIII. Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons shall hereafter be indicted for Assisting, Aiding, Maintaining, Comforting or Abetting of any Person or Persons for any the said Offences, in extolling, setting forth or defending of the usurped Power and Authority of the Bishop of *Rome*, unless he or they be thereof lawfully accused by such good and sufficient Testimony or Proof, as by the Jury by whom he shall so be indicted, shall be thought good, lawful and sufficient to prove him or them Guilty of the said Offences. [Who may determine Offences against this Act, 23 Eliz. s. 1. § 2.]

Upon what Proof only any Abettor &c. may be indicted.

C A P. II.

An Act for the Maintenance and Increase of Tillage.

4 & 5 H. 7. c. 19. **F**ORASMUCH as the Statute made in the Fourth Year of the Reign of the late Prince of worthy Memory, King Henry the Seventh, for the keeping up of Houses of Husbandry; and one other Statute made in the Seventh Year of the Reign of the late King of most famous Memory King Henry the Eighth, intituled, *An Act to avoid letting down of Towns*; and also one other Act made in the Twenty seventh Year of the Reign of the same late King Henry the Eighth, intituled, *An Act concerning the Decay of Houses and Inclosures*, are very good and profitable Laws for the Common Wealth of this Realm: It is therefore ordained and established by the Queen our Sovereign Lady, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Acts, and every of them, and every Branch and Article in the same, and every of them contained, shall from henceforth be put in due Execution, and remain and continue in force for evermore.

Made perpetual.
27 H. 8. c. 28.

§ 9.

II. And also, where by an Act made in the Twenty seventh Year of the Reign of our said late Sovereign Lord King Henry the Eighth, whereby divers and sundry Religious Houses of Monks, Canons and Nuns, which might not dispend in Lands, Tenements and Hereditaments above the clear yearly Value of Two Hundred Pounds, were given to the said late King Henry the Eighth, His Heirs and Successors for ever: It is among other Things enacted and ordained, that all and singular Persons, and Bodies Politic and Corporate, to whom the said late King Henry the Eighth, His Heirs or Successors, after the making of the same Act, should give, grant, let or demise any Scite or Precinct, with the Houses thereupon builded, together with the Demeans of any Monasteries, Priories or other Religious Houses, that should be dissolved or given to the said late King Henry the Eighth by that Act, and the Heirs, Successors or Assigns of every such Person, Body Politick and Corporate, should keep or cause to be kept an honest continual House and Household in the same Scite or Precinct, and should occupy or cause to be occupied yearly, as much of the Demeans in ploughing and tilling of Husbandry, (that is to say) as much of the said Demeans which then were commonly used to be kept in Tillage by the Governors, Abbots or Priors of the same Houses, Monasteries or Priories, or by their Farmer or Farmers occupying the same, within the Time of Twenty Years next before that Act, upon Pain to forfeit to the King's Highness, for every Month so offending, Six Pounds Thirteen Shillings and Four pence, to be recovered to His Use in any of His Courts of Record; and over that, by the same Statute it is enacted, that all Justices of Peace in every Shire where any such Offence should be committed and done, contrary to the true Meaning and Intent of that Act or Statute, should in every Quarter and General Sessions within the Limits of their Commission, enquire of the Premises, and should have full Power and Authority to hear and determine the same, and to tax and assess no less Fine for every the said Offences than is before limited for the said Offence, and Estreats thereof to be made and certified

§ 10.

§ 11.

into

‘ into the King’s Exchequer, according, and at such Time and Form as other Estreats of Fines, Issues and Amerciaments be made by the same Justices, as by the same Act more at large doth appear; which Part of the said Act concerning keeping of House and Household in the said Scites and Precincts, and occupying of such Demeans of the same in Tillage, as is aforesaid, then was, and yet is thought very beneficial to the Commonwealth, and most needful to be put in due Execution;’ Be it therefore enacted by the Authority aforesaid, That the said Branches and Articles of the said Statute last above mentioned, made in the said Twenty seventh Year of our said late Sovereign Lord King *Henry* the Eighth, and every Penalty and Thing touching the same, be also from henceforth put in due Execution, and shall remain and continue in their full Force and Virtue, according to the good Intent and Meaning of the same last recited Statute; any Thing in this present Act to be hereafter contained to the contrary notwithstanding.

continued.

‘ III. And forasmuch as there have been sithence the making of the said Statute, certain other Laws and Statutes made in the Time of our late Sovereign Lord King *Edward* the Sixth, and in the Time of the late Sovereign King *Philip* and Queen *Mary*, for the re-edifying of decayed Houses of Husbandry, and for the Increase of Tillage, which being in some Parts thereof imperfect, and in some Places too mild and gentle, have not brought to the decayed State of Tillage, and of Houses of Husbandry, that long looked for Remedy which was then hoped for:’ Be it therefore enacted by the Authority aforesaid, That the said Laws and Statutes made in the Times of the said late King *Edward* the Sixth, and King *Philip* and Queen *Mary*, touching and concerning the Decay of Houses of Husbandry, and for the Increase of Tillage, and every Article and Thing in them and every of them contained, shall be from henceforth repealed and made void to all Intents and Purposes.

5 & 6 E. 6. c. 5.
2 & 3 P. & M.
c. 2.

IV. And be it also further enacted and established by the Authority aforesaid, That from and after the Feast of the Annunciation of our Lady, which shall be in the Year of our Lord God One thousand five hundred and sixty four; all such Lands and Grounds, or so much in Quantity as in any Town, Village, Hamlet, Lordship, Place known, or Parish within the Realm of *England* or *Wales*, have been eared, ploughed and put in Tillage in any One Year, and so kept in Tillage by the Space of Four Years, any Time sithens the Feast of *St. George* the Martyr, in the Twentieth Year of the Reign of King *Henry* the Eighth (other than the said Demeans of the said late Monasteries, Priors and religious Houses, given as is above rehearsed to the said late King *Henry* the Eighth, in the said Twenty seventh Year of His Reign) shall be eared, ploughed, used and kept in Tillage, or caused to be eared, ploughed, used and kept in Tillage for ever, according to the Nature of the Soil and Custom of the Country, by the Occupier or Occupiers thereof, without Fraud or Collusion, upon Pain that every Offender contrary to this Act, shall lose and forfeit yearly for every Acre Ten Shillings, which Forfeiture shall go and be in Manner and Form following; that is to say, to such Person or Persons as been next in Reversion or Remainder thereof, for Term of Life, Lives, or in Tail,

Repealed,
Regulations for
Lands that have
been ploughed,
&c.

Penalty.

Distress.

Tail, their Executors or Administrators; and that by Authority of this Act, it shall be lawful for him or them to levy the same Penalty or Forfeiture of Ten Shillings for every Acre by Distress, and to justify or make their Advowries or Cognizances of the same, in such Manner and Form as any Person or Persons may do for Rents reserved upon Estate or Estates made for Term of Years, of any Lands or Tenements, or otherwise, shall and may sue for the same Penalty and Forfeiture by Action of Debt, Bill, Plaint or Information in any Court of Record of the Queen our Sovereign Lady, her Heirs or Successors, wherein no Wager of Law, Essoin or Protection, shall be allowed or admitted for the Party Defendant; and if they or any of them do not distrain, or otherwise claim or demand the said Penalty and Forfeiture by any the Ways or Means aforesaid, within the Space of One whole Year next after the Offence done in Form aforesaid, and pursue for the same with Effect, without Fraud or Covin, and do not recover (and might have recovered the same, with such Speed as may be by the due Order of the Law); that then after such Default, it shall be lawful for him or them to whom the Reversion or Remainder of the Fee-simple of the said Lands shall appertain; their Executors or Administrators to distrain, avow or make Recognizance, and justify, or otherwise to sue for the said Forfeiture and Pains in Form aforesaid, at any Time within One Year next ensuing any such Default; and in his or their Default the said Penalty or Forfeiture to go and be to the immediate Lord or Lords of the Fee or Fees of whom the said Lands been holden, to be recovered in Manner and Form aforesaid, so that he or they do take and sue for his or their Remedy therein, within One Year next ensuing any such Default, in Manner and Form aforesaid; and in his and their Default the said Penalty and Forfeiture to go and be to the Queen's Highness, her Heirs and Successors, to be recovered by any of the Means or Remedies aforesaid, at any Time or Times, at her or their Wills or Pleasures, or otherwise to any other Person or Persons that will sue as well for the Queen's Majesty, her Heirs and Successors, as for him or themselves, for the same Pains and Forfeitures, upon which Suit the one Moiety shall be and go to the Queen's Majesty, her Heirs or Successors, and the other to him or them that so will sue for the same, by Action of Debt, Bill, Plaint or Information, in any of the Queen's Courts of Record, wherein no Essoin, Protection or Wager of Law shall be admitted or allowed for the Party Defendant.

Reversioner, &c.
may distrain.

How Penalties
to go.

Penalties how
disposed of.

V. And be it further enacted by the Authority aforesaid, That if any Person or Persons, being an Occupier and Owner of any such Lands and Grounds as is aforesaid, of any Estate of Inheritance, shall offend against the Form of this Act; that then the said Penalty and Forfeiture shall go and be to the next immediate Lord or Lords of the Fee or Fees thereof, his or their Executors or Administrators, to be recovered by such Ways and Means as before is limited and appointed, so that he or they do pursue and take their Remedy for the same in Form aforesaid, within One Year next after such Offence committed; and if any such Occupier and Owner shall be a Copyholder or a Customary Tenant, that then, the said Penalty or Forfeiture to go and be to the Lord or Lords of the Manor of whom the same Copy or Customary Tenements been holden, their Executors or Admini-

nistrators,

assessors, so that he or they do pursue and take their Remedy for the same, in such Manner and Form, and within the Time last before limited; and in every such Default of the said Lord or Lords of the Fee or Fees, and of the Lord or Lords of the said Manor or Manors as is aforesaid, or of any of them, the said Penalties and Forfeitures to go and be to the Queen's Majesty, her Heirs and Successors, or to such other Person or Persons as will sue for the same, as well for the Queen, her Heirs or Successors, as for him or themselves, in such Manner and Form as before is declared, in every which Suit, none Essoin, Prolongation or Wager of Law shall be admitted or allowed for the Party Defendant.

VI. Provided always, and be it further enacted by the Authority aforesaid, That this Act or any Thing herein contained, shall not be prejudicial, ne shall extend to charge any Person or Persons that hath or shall turn any Ground from Tillage to Pasture, and shall keep such Ground in Pasture whole, and not converted to Tillage, for the only Maintenance and Keeping of his or their own Horses, Geldings, Mares or Draught Oxen, or for the Maintenance or Keeping of Kine or other Cattle, for the only Victuals to be spent in his or their own Houses, so that the same Person or Persons hath or shall not have in his or their Possession, Occupation or Disposition, other sufficient Pasture Ground for that Purpose, within Five Miles of his or their Mansion House.

Proviso for
Ground kept in
Pasture.

VII. Provided also, and be it enacted by the Authority aforesaid, That no Person or Persons that shall commonly feed and sell yearly, Beefs or Muttons to a greater Number than he or they shall yearly spend in Victual, in his or their own Mansion House or Houses, or that shall be a common Fatter of Beefs or Muttons, or any of them, as a common Grazer or Sheepmaster, to be commonly fold in Markets and Fairs, or to common Butchers, shall be taken, expounded, or understood to be such Person or Persons as by this Proviso last above mentioned, may keep any Ground or Pasture whole, and not converted to Tillage for the Maintenance and Keeping of Kine or other Cattle for the only Victual to be spent in his or their own Houses, but been and shall be excepted out of the same Proviso; any Thing in the same Proviso contained to the contrary notwithstanding.

Proviso for com-
mon Graziers,
&c.

VIII. Provided also, and be it likewise enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not extend unto any lawful Park or Parks, or ancient Warrens now used with Deer or Conies, or to any Park or Parks heretofore lawfully used as Parks, and being now disparked, or to any other Grounds that heretofore have been by any her Highness Progenitors, or hereafter shall fortune to be made Parks or Warrens by Licence of our Sovereign Lady the Queen, her Heirs or Successors, with sufficient Clause or Dispensation for converting of Tillage into Pasture, and been or shall be layed, bestowed and employed to the Maintenance and Keeping of Deer or Conies, without Fraud or Covin, and not to the feeding or keeping of any other Cattle or Beasts, but only milch Kine for him or themselves, or his or their Keeper of such Park or Warren, for the Provision of his or their House or Houses, or for the keeping of his or their Horses, Geldings, Mares, Colts or Swine, ne shall extend to any Waste Grounds, Commons, Heaths, Downs, Fens, Moors, commonly used as Common, nor to any Heaths,

Proviso for
Parks, &c.

Fens,

Fens, Moors, Marshes, being now used in Severalty, and not commonly used to be sown and put in Tillage since the said Feast of *Saint George*, in the said Twentieth Year of the Reign of King *Henry* the Eighth, nor to any fresh Marshes being surrounded with Water within the Space of Six Years next before the First Day of this present Parliament, nor to any Orchard, Garden, Pool or Pond Yard, nor to any Ground set or sown with Saffron, Hops, Garlick, Onions, Flax, Ode or Madder, or being without Fraud or Guile sown with Acorns, or set with any Kind of young Woods, nor to any Wood Grounds which be not stubbed, or wherein the Wood hath been felled, or hereafter shall be felled, and the Roots and Stubs thereof yet remaining undigged up, nor any Meadows or other Grounds without Fraud or Covin, accustomed to be mown for Hay Once in the Year at the least during such Time before specified; any Thing in this Act contained to the contrary notwithstanding. And where in the said First Proviso it is mentioned that this Act or any Thing therein contained, shall not extend or be prejudicial to any Person or Persons for keeping of any Ground in Pasture or Meadow for the only Maintenance or Keeping of his or their own Horses, Mares, Geldings or Draught Oxen, or for the Maintenance or Keeping of Kine or other Cattle for the only Provision or Victualling of his or their Mansion or Dwelling-house or Houses; be it declared and enacted by the Authority aforesaid, That if it shall fortune any such Person or Persons to be absent and not resident at or upon his or their usual Mansion or Dwelling-house or Houses, with his Family or Household, for and by Occasion of Service or Attendance to be done by any such Person or Persons, by the express Commandment of the Queen's Majesty, her Heirs or Successors, within the Realm or without, or else having Two or Three Mansion or Dwelling-houses, and shall be resident and dwelling with his Family but at One of them, or shall be within Age, that then during and for the Time of such Service, Attendance, Minority and Absence (and One Year next after) from any his said Dwelling-houses, or during and for the Time that he or they shall be resident and dwelling with his Family but at or upon One of them, shall and may keep such Grounds in Pasture or Meadow belonging or usually occupied with any of the said Two or Three Houses, and with no more nor others, in his or their own Hands or Occupation, or let it out to any other Person or Persons without incurring any Danger or Forfeiture by virtue of this Act, so that the same Person or Persons shall and do keep the same Mansion and Dwelling-house or Houses unletten and in good and sufficient Reparations, and meet and convenient for him or them to repair and resort unto at all Times for his or their Dwelling and Abode; any Thing in the said Proviso, or in any Part of this Act, to the contrary thereof in any wise notwithstanding.

Proviso as to Informations in Exchequer, &c.

IX. Provided always, and be it further enacted by the Authority aforesaid, That the Repeal of any Act or Statute now repealed by this present Act, nor any other Matter or Thing herein contained, shall in any wise extend, or be interpreted, judged or expounded to hinder, hurt or take away any Suit, Information or Informations exhibited and now depending in the Queen's Majesty's Court of Exchequer, or in any other Court of Record, for or in any wise concerning the Decay of any Houses or Tenements of Husbandry,

Husbandry, or for the converting of any Lands or Tenements from Tillage into Pasture contrary to the Form and Effect of any Statute or Statutes heretofore made; but that all and every such Suits and Informations shall stand, remain and be of as good Force and Effect in the Law, to all Intents, Constructions and Purposes as the same and every of them were before the making of this Act; and that the said Acts and Statutes now by this present Act repealed, shall for and in respect only of the said Informations and Suits, and every of them so now depending, stand, remain and be in such like Force and Effect as they and every of them were before the making of this Act; any Thing herein contained to the contrary thereof notwithstanding.

X. And whereas some Doubt and Question hath heretofore arisen and been moved upon certain Words contained in the said Statute, made in the said Fourth Year of the Reign of the late King *Henry* the Seventh; (that is to say) upon these Words: 'House or Houses letten to farm, with Twenty Acres of Land at least, or more, lying in Tillage and Husbandry; whether the same Twenty Acres of Land or more should be accounted and taken to be all Arable Land, and wholly put in Tillage or not, and also what Quantity and Measure every Acre should be of and contain:' For a plain and perfect Declaration and Interpretation whereof, be it enacted and declared by the Authority of this present Parliament, That the said Statute is and shall be expounded and taken to extend to House or Houses that now have or hath, or at any Time heretofore sithens the First Year of the Reign of the said late King *Henry* the Seventh, have or hath had, or that hereafter shall have Twenty Acres of Ground to the same House or Houses lying, or belonging, or with the same commonly occupied or used, although the same Ground hath not been, is or shall be all wholly used as Arable Land and put in Tillage, but only some Part thereof, and that the Content of every Acre shall be taken and rated after the Rate and Measure limited and appointed in the Ordinance or Treatise *De terris mensurandis*; any Ambiguity, Doubt or Thing whatsoever to the contrary thereof notwithstanding.

Explained.

XI. Provided always, and be it further enacted by the Authority aforesaid, That if any Person or Persons hath, or at any Time hereafter shall sustain any Penalty, Forfeiture or Loss for or by reason of any Offence committed or done contrary to the Tenor or Effect of this Act, or any other of the Acts before recited and confirmed, that then he or they shall not be estfoons sued, vexed or impeached for the same Offence; any Thing in this Act, or in any other of the Acts aforesaid, had or made to the contrary thereof notwithstanding.

One Punishment for One Offence.

XII. And to the Intent that the Offender of this Act, or of any the Acts before specified, and by this Act confirmed, and the Offences committed and done against any of the same, may be the better known, and that the more due Execution thereof may be had; Be it enacted by the Authority aforesaid, That the Lord Chancellor, or Lord Keeper of the Great Seal of *England* for the Time being, shall have full Power and Authority by virtue of this Act, from Time to Time to award and direct a Commission or Commissions under the Great Seal of *England*, into every Shire or County within this Realm and *Wales*, to such Persons as by his

Lord Chancellor may issue Commission to enquire of Offenders, &c.

his Wisdom and Discretion shall be thought most meet and convenient, authorizing them, or Four of them at the least, by virtue thereof, and of this Act, to enquire and search out within every Town, Village, Parish and Hamlet within their Commission, by the Oaths of Six lawful and indifferent Persons, or otherwise, according to their good Discretions, of the Offences committed or done against this Statute, or any other the Statutes before mentioned, and by this Act confirmed; and whether any Person or Persons to whom any Penalty or Forfeiture is given, limited or appointed by the same, or any of them, have taken the Benefit or Advantage of the said Forfeitures and Pains, or not, according to the same Laws and Statutes; and that within Three Months next after every such Inquiry and Search, the said Commissioners, or Four of them at the least, shall make Certificate thereof, and of their Doings by virtue of the said Commission, under their Hands and Seals, into the High Court of Chancery, upon Pain of Forfeiture of every such Commissioner Twenty Pounds Sterling to the Queen's Majesty, her Heirs and Successors; and that the same Commissioners, or Two of them at the least, shall have Authority and Power by virtue of this Act, to direct their Precept to the Sheriffs of the County, being within the Limits of their Commission, to warn as many honest Men of his Bailiwick as the said Commissioners shall appoint, by whom the Truth in the Premises may be best known, to inquire and true Presentment make of all and every Offences committed or done contrary to the said Acts, or any of them, and to set such reasonable Fines and Amerciaments upon such Persons as shall make Default of their Appearances, or making their Appearances shall neglect to do their Duties in and about the Execution of the Premises, as to the same Commissioners, or Four of them, shall be by their Discretions thought meet and convenient, so that the same Fines or Amerciaments for any one Default exceed not the Sum of Twenty Shillings; and that the same Fines and Amerciaments so by them taxed and set, shall be yearly well and truly estreated into the Court of the Exchequer, and there to be levied to the Use of our Sovereign Lady the Queen, her Heirs and Successors, as other Fines and Amerciaments have been there accustomed and used to be levied; and that if the Sheriff to whom such Precept shall be awarded shall be remiss or negligent in serving of the Precept, and returning of the same at the Time and Place appointed and prefixed in the said Precept; that then the said Commissioners, or Four of them, shall for every such Default assess and tax upon the said Sheriff Ten Pounds, and shall estreat the same into the said Court of Exchequer, to be levied to the Queen's Majesty's Use, her Heirs and Successors as is aforesaid.

Proviso for Liberties, &c.

XIII. Provided always, and be it enacted by the Authority aforesaid, That it shall not be lawful to any Sheriff, Under Sheriff or Sheriff deputed, to infringe or enter into any Liberty or Franchise for the Execution of any such Precept, but shall make his Mandatum to the Bailiff of the Franchise or Liberty for the executing and serving of the same, and that the Bailiff of every such Franchise or Liberty shall serve and execute the said Precept, according to the Tenor thereof, in such like Manner and Form as the Sheriff should or ought to have done if it had been within his

his Bailiwick, upon Pain of Forfeiture of Five Pounds, to be Penalty.
estreated and levied as is aforesaid.

XIV. Provided also, and be it enacted by the Authority Breach of Cove-
aforesaid, That the putting of any Lands or Tenements hereafter nant, &c.
from Pasture to Tillage, according to the Tenor and Effect of this
Act, shall not in any wise extend to be any Cause of Breach or
Forfeiture of any Bond, Covenant, Payment or Condition made
or hereafter to be made between any Person or Persons, Bodies
Politick or Corporate, which in any wise is or shall be repugnant
or contrariant to this Act.

XV. Provided always, and be it further enacted by the Au- Proviso respect-
thority aforesaid, That this Act or any Thing therein contained, ing Warrens.
shall not extend to give any Benefit, Advantage or Liberty to
any Person or Persons which at any Time sithens the said Feast
of *Saint George* the Martyr, hath converted or employed, or here-
after shall convert or employ any more Ground to the keeping
of Conies, not being lawful Warren, than Five Acres at the
most, and the same to be within One Mile of his Dwelling-house,
and also not noisome or hurtful to the Corn of any Person or
Persons other than of the Owner of the same Ground, so that he
or they put and keep in Tillage as much or as many Acres of his
own proper Ground lying within the said Manor, Lordship or
Parish as the said Comngre shall contain above the said Number
of Five Acres, that hath not heretofore been liable to be con-
tinued in Tillage by force of any Law or Statute; any Thing
in this Act before mentioned to the contrary thereof notwithstanding.

XVI. And where also by the said Estatute of *Henry* the 4 & 5 H. 7. c. 19-
Seventh, the Meaning of the Makers thereof appeareth to be,
that every House of Husbandry having Twenty Acres of
Land or more, belonging or lying thereunto, or with the same
commonly occupied, used or demised, the same Twenty Acres
or more should not be severed or divided from the said House
or Houses, but should be demised, occupied or used together,
for the better Maintenance of every such House and Houses,
and of Tillage and Husbandry: Be it therefore enacted and
declared by Authority of this present Parliament; That no Per-
son or Persons whatsoever, having or that hereafter shall have any
such Houses or House of Husbandry, with Twenty Acres of
Land or more, belonging or lying thereunto, or with the same
commonly occupied, used or demised, shall from and after the
First Day of this present Parliament, sever or divide the said
Twenty Acres of Land or more, nor any Part thereof from any
of the said House or Houses, unless the same be kept in Til-
lage; or otherwise for the Profit of Husbandry, according to the
Nature of the Ground, or according to the Custom of the Manors
where the same Land shall so be, upon the Pains and Forfeitures
contained in the said Estatute of *Henry* the Seventh, to be taken
in such Form as by the same Statute appeareth, except he or
they shall lay and assign to the said House or Houses, or to any
other House or Houses being within the same Parish or Lord-
ship, or within Two Miles of the said Houses, being also not
bound to be maintained and upholden by Form of the said
Statute of King *Henry* the Seventh, as much other Land within
the same Parish, Lordship, or within Two Miles as is aforesaid;
for

Houses with 20
Acres of Land.

Regulations con-
cerning dividing
such Land from
the House, &c.

for and in lieu of such or so much of the former Land as ought to have continued by force of the said Statute with the former House, and cannot conveniently be returned to the same former House.

XVII. And be it further enacted by the Authority aforesaid, That if any such House or Houses of Husbandry and Land be divided or severed the one from the other, by reason of any Lease or Leases, for Term of Life, Lives, or for Term of Years, made or granted before the First Day of this present Parliament, that then whensoever the said Lease or Leases shall end or determine by any Manner of Means so as the same House or Houses and Lands thereunto belonging shall be discharged of all such Leases, the same House and Houses and Lands so demised shall not afterwards be severed or divided the one from the other, but shall go, be kept and occupied together at all Times after, according to the Declaration before mentioned, upon the Pains and Forfeitures last before specified, and to be taken also as in the said Statute is mentioned; except by the returning or re-uniting of the same Land to the said House, there shall or may grow any manifest Decay of any other Houses newly edified, or of any other Farms that hath been by Means of Distribution of Severance of the same Land or Lands or any Part thereof, made or assigned to be several Tenements or Holds.

7 H. 8. c. 1.

XVIII. And wherein the said Statute made in the said Seventh Year of the Reign of the said King *Henry* the Eighth, amongst other Things in the same it is enacted, That if sithens the First Day of the same Parliament, any Lands which at the same First Day or sithens the same First Day were commonly used in Tillage, were enclosed or from thenceforth should be enclosed and turned only to Pasture, whereby any House of Husbandry then was or thereafter should be decayed, that then all such Lands should be by the Owner or Owners thereof, their Heirs, Successors or Assigns, or other for them, within One Year next ensuing the same Decay put in Tillage, and exercised, used and occupied in Husbandry and Tillage as they were the First Day of the same Parliament, or at any Time sithens and after the Manner and Usage of the Country where such Lands did lie as by the said Act more plainly may appear.

Explained as to
Land turned to
Tillage, enclosed,
&c.

XIX. And forasmuch as upon the said Part of the said Statute divers Doubts and Questions have been moved heretofore: Be it therefore enacted and declared by the Authority aforesaid, That if at any Time sithens the making of the said Act and before the said Feast of *Saint George*, in the said Twentieth Year of the Reign of the said late King *Henry* the Eighth, any Lands belonging to any such House of Husbandry as is aforesaid, have been turned from Tillage to Pasture by any Person or Persons, that then the same Lands or so much other Lands being within the same Parish, Lordship or Manor that heretofore was not liable or bound by any Law or Statute to be kept in Tillage, shall be turned again into Tillage within One Year next after the Session of this present Parliament, and kept in Tillage for ever, according to the Custom of the Country and Nature of the Soil, whether the said House whereunto the said Lands did belong be decayed or no, or whether the same Lands were enclosed or not enclosed, or whether some Part thereof and not the Whole were kept

kept in Tillage or not, upon the Pains contained in the same Statute made in the said Seventh Year of the Reign of the said late King *Henry* the Eighth. 7 H. 8. c. 2.

XX. Provided always, and be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, having any Pasture, Heath, Waste or Barren Ground which hath not been heretofore commonly used to be eared or tilled for Corn, and yet nevertheless the same Person or Persons to the Intent to better and amend the said Ground, and not to use the same for Tillage, have or hath at any Time heretofore turned or put the same into Tillage, or at any Time hereafter shall turn and put the same into Tillage, and hath or shall keep the same Ground for that Cause only in Tillage by the Space of Four Years together, that this Act or any Thing therein contained shall not compel any Person or Persons to continue or put in Tillage the said Pasture, Heath, Barren or Waste Ground so eared; any Thing before expressed in this Act to the contrary thereof notwithstanding. Proviso as to Waste Lands turned to Tillage.

XXI. Provided always, That this Act or any Provision, Clause or Article therein contained, shall not be understood or expounded to extend, or be in any wise prejudicial to those Parts or Portions of Grounds wherein any Owner of Lead, Tin or Iron, or Coals commonly called Sea Coal, Stone Coal or Moor Coal, have been, are or hereafter shall be usually gotten, by Means whereof the same Grounds cannot conveniently be put and kept in Tillage; this Act or any other Law, Usage or Custom to the contrary in any wise notwithstanding. Proviso for Lead, Coal, &c. Mines.

XXII. Provided also, That this Act nor any Thing therein contained, shall extend to compel any Person or Persons to put in Tillage any Lands or Grounds within any Forest or Chase, except the Forest of *Snowden* in *North Wales*, otherwise than before the making of this Statute, he or they ought or were bound to do: this Act to endure to the End of the next Session of Parliament: Provided always, that this Statute or any Thing therein contained, shall not extend to compel any Inhabitant of the Counties of *Northumberland*, *Westmorland* or *Cumberland* to re-edify, maintain or to keep in Manurance any House or Ground that shall be overthrown, burned, destroyed, wasted or decayed by Enemies, or by any occasion of Wars or Invasions during the Wars, or within Four Years after the Conclusion of Peace next following such Overthrowing, Burning, Destruction, Wasting or other Thing in this present Act to the contrary notwithstanding. Proviso for Forests, &c. Snowden.

XXIII. And forasmuch as this Act shall continue but to the End of the next Session of Parliament; be it therefore enacted by Authority aforesaid, That no Person or Persons shall from henceforth convert from Tillage to Pasture any Ground which was in Tillage the First Day of this Parliament, other than such as they might lawfully have converted from Tillage to Pasture before the making of this Act; any Thing contained in this Act to the contrary notwithstanding. Proviso for Land in Tillage, on the First Day of the Parliament.

[*This Act repealed, 21 Jac. 1. c. 28. § 11.*]

C A P III.

An Act for the Relief of the Poor. EXP.

CAP.

C A P. IV.

An Act touching divers Orders for Artificers, Labourers, Servants of Husbandry and Apprentices.

25 E. 3. Stat. 1. c. 1.
37 E. 3. c. 6.
12 R. 2. c. 3—9.
13 R. 2. Stat. 1. c. 8.
6 H. 6. c. 3.
8 H. 6. c. 8.
14 & 15 H. 8. c. 2.
21 H. 8. c. 16.

ALTHOUGH there remain and stand in force presently a great Number of Acts and Statutes concerning the Retaining, Departing, Wages and Orders of Apprentices, Servants and Labourers, as well in Husbandry as in divers other Arts, Mysteries and Occupations; yet partly for the Imperfection and Contrariety that is found, and doth appear in sundry of the said Laws, and for the Variety and Number of them, and chiefly for that the Wages and Allowances limited and rated in many of the said Statutes, are in divers Places too small and not answerable to this Time, respecting the Advancement of Prices of all Things belonging to the said Servants and Labourers; the said Laws cannot conveniently, without the great Grief and Burden of the poor Labourer and hired Man, be put in good and due Execution: And as the said several Acts and Statutes were, at the Time of the making of them, thought to be very good and beneficial to the Commonwealth of this Realm, (as divers of them are) so if the Substance of as many of the said Laws as are meet to be continued, shall be digested and reduced into one sole Law and Statute, and in the same an uniform Order prescribed and limited concerning the Wages and other Orders for Apprentices, Servants and Labourers, there is good Hope that it will come to pass, that the same Law (being duly executed) should banish Idleness, advance Husbandry, and yield unto the hired Person, both in the Time of Scarcity and in the Time of Plenty, a convenient Proportion of Wages.

Acts repealed.

II. Be it therefore enacted by the Authority of this present Parliament, That as much of all the Estatutes heretofore made, and every Branch of them, as touch or concern the Hiring, Keeping, Departing, Working, Wages, or Order of Servants, Workmen, Artificers, Apprentices and Labourers, or any of them, and the Penalties and Forfeitures concerning the same, shall be, from and after the last Day of *September* next ensuing, repealed and utterly void and of none Effect; and that all the said Statutes, and every Branch thereof, or any Matter contained in them, and not repealed by this Statute, shall remain and be in full Force and Effect; any Thing in this Statute to the contrary notwithstanding.

No Person shall retain a Servant in these Sciences under a Year.

III. And be it further enacted by the Authority aforesaid, That no manner of Person or Persons, after the aforesaid last Day of *September* now next ensuing, shall retain, hire or take into Service, or cause to be retained, hired or taken into Service, nor any Person shall be retained, hired or taken into Service, by any Means or Colour, to work for any less Time or Term than for One whole Year, in any of the Sciences, Crafts, Mysteries or Arts of Clothiers, Woollen Cloth Weavers, Tuckers, Fullers, Clothworkers, Shermen, Dyers, Hosiers, Taylors, Shoemakers, Tanners, Pewterers, Bakers, Brewers, Glovers, Cutlers, Smiths, Farriers, Curriers, Sadlers, Spurriers, Turners, Cappers, Hatmakers or Felmakers, Bowyers, Fletchers, Arrow-head-makers, Butchers, Cooks or Millers.

[Query, If this Section be not virtually repealed by 31 G. 2. c. 11. § 3.]

IV. And

IV. And be it further enacted, That every Person being unmarried, and every other Person being under the Age of Thirty Years, that after the Feast of *Easter* next shall marry, and having been brought up in any of the said Arts, Crafts or Sciences; or that hath used or exercised any of them by the Space of Three Years or more, and not having Lands, Tenements, Rents or Hereditaments, Copyhold or Freehold, of an Estate of Inheritance, or for Term of any Life or Lives, of the clear yearly Value of Forty Shillings; nor being worth of his own Goods the clear Value of Ten Pound, and so allowed by Two Justices of the Peace of the County where he hath most commonly inhabited by the Space of One whole Year, and under their Hands and Seals, or by the Mayor or other Head Officer of the City, Borough or Town Corporate where such Person hath most commonly dwelt by the Space of One whole Year, and Two Aldermen, or Two other discreet Burgeesses of the same City, Borough or Town Corporate, if there be no Aldermen, under their Hands and Seals; nor being retained with any Person in Husbandry, or in any of the aforesaid Arts and Sciences, according to this Statute; nor lawfully retained in any other Art or Science; nor being lawfully retained in Household, or in any Office, with any Nobleman, Gentleman or others, according to the Laws of this Realm; nor have a convenient Farm or other Holding in Tillage, whereupon he may employ his Labour: Shall, during the Time that he or they shall be so unmarried, or under the said Age of Thirty Years, upon Request made by any Person using the Art or Mystery wherein the said Person so required hath been exercised (as is aforesaid) be retained; and shall not refuse to serve according to the Tenor of this Statute, upon the Pain and Penalty hereafter mentioned.

What Sort of Persons are compellable to serve in any of the Crafts aforesaid.

V. And be it further enacted, That no Person which shall retain any Servant, shall put away his or her said Servant, and that no Person retained according to this Statute, shall depart from his Master, Mistress or Dame, before the End of his or her Term, upon the Pain hereafter mentioned, unless it be for some reasonable and sufficient Cause or Matter to be allowed before Two Justices of Peace, or One at the least, within the said County, or before the Mayor or other Chief Officer of the City, Borough or Town Corporate wherein the said Master, Mistress or Dame inhabiteth, to whom any of the Parties grieved shall complain; which said Justices or Justice, Mayor or Chief Officer, shall have and take upon them or him the Hearing and Ordering of the Matter betwixt the said Master or Mistress, or Dame and Servant, according to the Equity of the Cause. [See 20 G. 2. c. 19. 6 G. 3. c. 25.]

No Servant shall depart or be put away before the End of his Time. Justice of Peace, &c. may determine.

VI. And that no such Master, Mistress or Dame shall put away any such Servant at the End of his Term, or that any such Servant shall depart from his said Master, Mistress or Dame at the End of his Term, without One Quarter's Warning given before the End of his said Term, either by the said Master, Mistress or Dame, or Servant, the one to the other, upon the Pain hereafter ensuing.

Warning.

VII. And be it further enacted by the Authority aforesaid, That every Person between the Age of Twelve Years and the Age of Sixty Years, not being lawfully retained, nor Apprentice with any Fisherman or Mariner haunting the Seas; nor being in Service

Who are compellable to serve by the Year in Husbandry.

with any Kidder or Carrier of any Corn, Grain or Meal, for Provision of the City of *London*, nor with any Husbandman in Husbandry, nor in any City, Town Corporate or Market Town, in any of the Arts or Sciences limited or appointed by this Estatute to have or take Apprentices; nor being retained by the Year, or Half the Year at the least, for the digging, seeking, finding, getting, melting, smiting, working, trying, making of any Silver, Tin, Lead, Iron, Copper, Stone, Sea Coal, Stone Coal, Moor Coal or Cherk Coal, nor being occupied in or about the making of any Glasse, nor being a Gentleman born, nor being a Student or Scholar in any of the Universities, or in any School; nor having Lands, Tenements, Rents or Hereditaments, for Term of Life, or of One Estate of Inheritance of the clear yearly Value of Forty Shillings; nor being worth in Goods and Chattels to the Value of Ten Pounds; nor having a Father or Mother then living, or other Ancestor whose Heir Apparent he is, then having Lands, Tenements or Hereditaments of the yearly Value of Ten Pound or above, or Goods or Chattels of the Value of Forty Pounds; nor being a necessary or convenient Officer or Servant lawfully retained as is aforesaid; nor having a convenient Farm or Holding whereupon he may or shall employ his Labour; nor being otherwise lawfully retained according to the true Meaning of this Estatute, shall after the aforesaid last Day of *September* now next ensuing, by virtue of this Estatute, be compelled to be retained to serve in Husbandry by the Year with any Person that keepeth Husbandry, and will require any such Person so to serve within the same Shire where he shall be so required.

Putting away
Servant within
his Term, or at
the End of his
Term without
Warning.

VIII. And be it further enacted by the Authority of this present Parliament, That if any Person after he hath retained any Servant, shall put away the same Servant before the End of his Term, unless it be for some reasonable and sufficient Cause to be allowed as is aforesaid; or if any such Master, Mistress or Dame shall put away any such Servant at the End of his Term, without one Quarter's Warning given before the said End, as is above remembered, that then every such Master, Mistress or Dame so offending, unless he or they be able to prove by Two such sufficient Witnesses such reasonable and sufficient Cause of putting away their Servant or Servants during their Term, or a Quarter's Warning given afore the End of the said Term as is aforesaid, before the Justices of *Oyer and Terminer*, Justices of Assize, Justices of Peace in the Quarter-Sessions, or before the Mayor or other Head Officer of any City, Borough or Town Corporate, and Two Aldermen, or Two other discreet Burgeesses of the same City, Borough or Town Corporate, if there be no Aldermen, or before the Lord President and Council established in the Marches of *Wales*, or before the Lord President and Council for the Time being established in the North Parts, shall forfeit the Sum of Forty Shillings. [See 20 G. 2. c. 19. 6 G. 3. c. 25.]

Penalty.

Servant not per-
forming his Duty
or departing.

IX. And if any Servant retained according to the Form of this Estatute, depart from his Master, Mistress or Dame's Service, before the End of his Term, unless it be for some reasonable and sufficient Cause to be allowed as is aforesaid; or if any Servant at the End of his Term depart from his said Master, Mistress or Dame's Service without One Quarter's Warning given before the End of his said Term, in Form aforesaid, and before Two lawful

Witnesses;

Witnesses; or if any Person or Persons compellable and bounden to be retained, and to serve in Husbandry, or in any other the Arts, Sciences or Mysteries above remembered, by the Year or otherwise, do (upon Request made) refuse to serve for the Wages that shall be limited, rated and appointed, according to the Form of this Statute, or promise or covenant to serve, and do not serve according to the Tenor of the same; that then every Servant so departing away, and every Person so refusing to serve for such Wages, upon Complaint thereof made by the Master, Mistress or Dame of the said Servant, or by the Party to or with whom the said Refusal is made, or Promise not kept, to Two Justices of Peace of the County, or to the Mayor or other Head Officer of the City, Borough or Town Corporate, and Two Aldermen, or Two other discreet Burgeses of the same City, Borough or Town Corporate, if there be no Aldermen, where the said Master, Mistress or Dame, or the said Party to or with whom the said Refusal is made, and Promise not kept, dwelleth, or to either of the said Lords Presidents and Council of *Wales*, and the North, the said Justices, Lords Presidents and Councils, and also the said Mayors or other Head Officers, and other Persons of Cities, Boroughs or Towns Corporate, or any of them as is aforesaid, shall have Power by Force of this Statute, to hear and examine the Matter, and finding the said Servant, or the said Party so refusing faulty in the Premises, upon such Proofs and good Matter as to their Discretions shall be thought sufficient to commit him ^{to imprisonment.} or them to Ward, there to remain without Bail or Mainprise, until the said Servant or Party so offending shall be bound to the Party to whom the Offence shall be made, to serve and continue with him for the Wages that then shall be limited and appointed according to the Tenor and Form of this Statute, and to be discharged upon his Delivery, without paying any Fee to the Gaoler where he or they shall be so imprisoned. [*See supra*, § 4, §.]

X. And be it likewise enacted by the Authority aforesaid, That none of the said retained Persons in Husbandry, or in any the Arts or Sciences above remembered, after the Time of his Retainer expired, shall depart forth of one City, Town or Parish to another, nor out of the Lath, Rape, Wapentake or Hundred, nor out of the County or Shire where he last served, to serve in any other City, Town Corporate, Lath, Rape, Wapentake, Hundred, Shire or County, unless he have a Testimonial under the Seal of the said City or Town Corporate, or of the Constable or Constables, or other Head Officer or Officers, and of Two other honest Householdors of the City, Town or Parish where he last served, declaring his lawful Departure, and the Name of the Shire and Place where he dwelled last before his Departure, according to the Form hereafter expressed in this Act; which Certificate or Testimonial shall be written and delivered unto the said Servant, and also registred by the Parson, Vicar or Curate of the Parish where such Master, Mistress or Dame doth or shall dwell, taking for the doing thereof Two pence, and not above; and the Form thereof shall be as followeth:

None may depart any City, &c. without a Testimonial.

Fee

Memorandum, That *A. B.* late Servant to *C. D.* of *E.* Husbandman or Taylor, &c. in the County, &c. is licensed to depart from his said Master, and is at his Liberty to serve elsewhere, according to the Statute in that Case made and provided. In Witness whereof, &c. Dated the Day, Month, Year and Place, &c. of the making thereof.

Form of Testimonial

✓ Servant shall
shew Testimonial.

XI. And be it further enacted by the Authority aforesaid, That no Person or Persons that shall depart out of a Service, shall be retained or accepted into any other Service, without shewing before his Retainer, such Testimonial as is above remembered, to the Chief Officer of the Town Corporate, and in every other Town and Place, to the Constable, Curate, Churchwarden or other Head Officer of the same, where he shall be retained to serve, upon the Pain that every such Servant so departing without such Certificate or Testimonial, shall be imprisoned until he procure a Testimonial or Certificate, the which if he cannot do within the Space of One and Twenty Days next after the First Day of his Imprisonment, then the said Person to be whipped and used as a Vagabond according to the Laws in such Cases provided; and that every Person retaining any such Servant without shewing such Testimonial or Certificate as is aforesaid, shall forfeit for every such Offence Five Pounds; and if any such Person shall be taken with any counterfeit or forged Testimonial then to be whipped as a Vagabond.

✓ Retaining Ser-
vant without
Testimonial.

✓ Penalty.
Counterfeit
Testimonials.

✓ How long La-
bourers shall
continue at their
Work.

XII. And be it further enacted by the Authority aforesaid, That all Artificers and Labourers being hired for Wages by the Day or Week, shall betwixt the Midst of the Months of *March* and *September* be and continue at their Work at or before Five of the Clock in the Morning, and continue at work and not depart until betwixt Seven and Eight of the Clock at Night (except it be in the Time of Breakfast, Dinner or Drinking, the which Times at the most shall not exceed above Two Hours and a Half in a Day, that is to say, at every Drinking one Half Hour, for his Dinner One Hour, and for his Sleep when he is allowed to sleep, the which is from the Midst of *May* to the Midst of *August*, Half an Hour at the most, and at every Breakfast one Half Hour); and all the said Artificers and Labourers, between the Midst of *September* and the Midst of *March*, shall be and continue at their Work from the Spring of the Day in the Morning until the Night of the same Day, except it be in Time afore appointed for Breakfast and Dinner, upon Pain to lose and forfeit One Penny for every Hour's Absence, to be deducted and defaulted out of his Wages that shall so offend.

Penalty.

Labourer, &c.
departing before
his Work be
finished.

XIII. And be it also enacted by the Authority aforesaid, That every Artificer and Labourer that shall be lawfully retained in and for the building or repairing of any Church, House, Ship, Mill or every other Piece of Work taken in great, in task or in gross, or that shall hereafter take upon him to make or finish any such Thing or Work, shall continue and not depart from the same, unless it be for not paying of his Wages or Hire agreed on, or otherwise lawfully taken or appointed to serve the Queen's Majesty, her Heirs or Successors, or for other lawful Cause, or without Licence of the Master or Owner of the Work, or of him that hath the Charge thereof, before the finishing of the said Work, upon Pain of Imprisonment by One Month, without Bail or Mainprize, and the Forfeiture of the Sum of Five Pounds to the Party from whom he shall so depart, for the which the said Party may have his Action of Debt against him that shall so depart, in any of the Queen's Majesty's Courts of Record, over and besides such ordinary Costs and Damages as may or ought to be recovered by the Common Laws, for or concerning any such Offence, in

Penalty.

which Action no Protection, Wager of Law or Essoin shall be admitted.

XIV. And that no other Artificer or Labourer retained in any Service, to work with the Queen's Majesty or any other Person, depart from her said Majesty or from the said other Person, until such Time as the Work be finished, if the Person so retaining the Artificer or Labourer so long will have him, and pay him his Wages or other Duties, upon Pain of Imprisonment of every Person so departing, by the Space of One Month.

Imprisonment

XV. And for the Declaration and Limitation what Wages Servants, Labourers and Artificers, either by the Year or Day, or otherwise, shall have and receive; Be it enacted by the Authority of this present Parliament, That the Justices of Peace of every Shire, Riding and Liberty within the Limits of their several Commissions, or the more Part of them, being then resident within the same, and the Sheriff of that County if he conveniently may, and every Mayor, Bailiff or other Head Officer within any City or Town Corporate wherein is any Justice of Peace within the Limits of the said City or Town Corporate, and of the said Corporation, shall before the Tenth Day of *June* next coming, and afterward shall yearly at every General Sessions first to be holden and kept after *Easter*, or at some Time convenient within Six Weeks next following every of the said Feasts of *Easter*, assemble themselves together, and they (so assembled) calling unto them such discreet and grave Persons of the said County, or of the said City or Town Corporate, as they shall think meet, and conferring together, respecting the Plenty or Scarcity of the Time, and other Circumstances necessarily to be considered, shall have Authority by virtue thereof, within the Limits and Precincts of their several Commissions, to limit, rate and appoint the Wages, as well of such and so many of the said Artificers, Handicraftsmen, Husbandmen or any other Labourer, Servant or Workman, whose Wages in Time past hath been by any Law or Statute rated and appointed, as also the Wages of all other Labourers, Artificers, Workmen or Apprentices of Husbandry, which have not been rated as they the same Justices, Mayors or Head Officers within their several Commissions or Liberties shall think meet by their Discretions to be rated, limited or appointed by the Year or by the Day, Week, Month or otherwise, with Meat and Drink or without Meat and Drink, and what Wages every Workman or Labourer shall take by the Great, for mowing, reaping or threshing of Corn and Grain, or for mowing or making of Hay, or for ditching, paving, railing or hedging by the Rod, Perch, Lug, Yard, Pole, Rope or Foot, and for any other kind of reasonable Labours or Service, and shall yearly before the Twelfth Day of *July* next after the said Assessments and Rates so appointed and made, certify the same ingrossed in Parchment, with the Considerations and Causes thereof, under their Hands and Seals, into the Queen's most Honourable Court of Chancery; whereupon it shall be lawful to the Lord Chancellor of *England*, or Lord Keeper of the Great Seal for the Time being, upon Declaration thereof to the Queen's Majesty, her Heirs or Successors, or to the Lords and others of the Privy Council for the Time being, attendant upon their Persons, to cause to be printed and sent down before the First Day of *September* next, after the said

Wages of Servants, &c. shall be assessed by Justices of Peace, Sheriff, &c.

Proclamations
shall be made of
the Rates of the
Wages of Ser-
vants, &c.

Certificates into every County, to the Sheriff and Justices of Peace there, and to the said Mayor, Bailiff and Head Officers, Ten or Twelve Proclamations or more, containing in every of them the several Rates appointed by the said Justices and other Head Officers as is aforesaid, with Commandment by the said Proclamations, to all Persons, in the Name of the Queen's Majesty, her Heirs or Successors, straightly to observe the same, and to all Justices, Sheriffs and other Officers, to see the same duly and severally observed, upon the danger of the Punishment and Forfeiture limited and appointed by this Estatute, upon Receipt whereof the said Sheriffs, Justices of Peace and the Mayor and Head Officer in every City or Town Corporate, shall cause the same Proclamations to be entered of Record by the Clerk of the Peace or by the Clerk of the City or Town Corporate; and the said Sheriffs, Justices and other the said Mayor and Head Officers, shall forthwith in open Markets, upon the Market Days before *Michaelmas* then ensuing, cause the same Proclamation to be proclaimed in every City or Market Town within the Limits of their Commission, and the same Proclamation to be fixed in some convenient Place of the said City and Town, or in such of the most occupied Market Towns, as to the said Sheriffs, Justices of Peace and to the said Mayor and Head Officers shall be thought meet, [This Clause explained, 1 Jac. 1. c. 6. § 3.—6]

Continuance or
Alteration of
Rates of Wages
at Justices Dis-
cretion.

XVI. And if the said Sheriffs, Justices of Peace or the Mayor or Head Officer, shall at their said General Sessions, or at any Time after within Six Weeks then following, upon their Assembly and Conference together, think it convenient to retain and keep for the Year then to come the Rates and Proportions of Wages that they certified the Year before, or to change or to reform them or some Part of them, then they shall before the said Twelfth Day of *July* yearly certify into the said Court of Chancery their Resolutions and Determinations therein, to the Intent that Proclamations may accordingly be renewed and sent down; and if it shall happen that there be no Need of any Reformation or Alteration of the Rates of the said Wages, but that the former shall be thought meet to be continued, then the Proclamations for the Year past shall remain in Force until new Proclamations upon new Rates concerning the said Wages shall be sent down according to the Form of this Estatute,

Justices, Mayor,
Bailiffs, &c. ab-
sent at the taxing
of Servant's
Wages,

XVII. And be it further enacted by Authority of this present Parliament, That if all the said Justices of Peace, residing within the Counties where they are or shall be Justices of Peace, Mayors and Head Officers, do not before the Tenth Day of *June* next coming, and afterward yearly, appear and assemble at the said General Sessions, or within Six Weeks next after the said General Sessions, and limit and rate the Wages of the said Servants and Labourers, or shall not consider whether the former Rates made be meet to be continued or to be altered and reformed in Manner and Form aforesaid, or be negligent or remiss in the Certificate thereof in Form above written, that then every Justice of Peace of the County, and every Mayor or Head Officers of the City or Town Corporate, in whom any such Default or Negligence shall be found, being within the said County, City or Town Corporate at the Time of the said next Assembly, or at the Time of the said Sessions,

Sessions, or at the Times of the said Rates of Wages to be set, within Six Weeks next after every such Sessions, and not visited with any such Sicknes as he could not travel thither without Peril and Danger of his Life, or not having any other lawful and good Excuse, to be allowed by the Justices then assembled for the rating and taxing of Wages as is aforesaid, or by the more Part of them, upon a corporal Oath and Affidavit to be taken and made openly before the said Justices upon the Holy Evāgelists, by some credible Person assessed and taxed in the Book of Subsidy of that County to the clear Value of Five Pounds at the least, or by such other Person as the most Part of such Justices shall allow and accept to take such Oath, shall for such Default or Negligence forfeit unto the Queen's Majesty, her Heirs and Successors, Ten Pounds of lawful Money of England.

Oath.

Penalty.

XVIII. And be it further enacted by the Authority aforesaid, That if any Person after the said Proclamation shall be so sent down and published, shall by any secret Ways or Means, directly or indirectly, retain or keep any Servant, Workman or Labourer, or shall give any more or greater Wages or other Commodity, contrary to the true Intent and Purport of this Estatute, or contrary to the Rates or Wages that shall be assessed or appointed in the said Proclamations; that then every Person that shall so offend, and be thereof lawfully convicted before any the Justices or other Head Officers above remembered, or either of the said Presidents and Councils, shall suffer Imprisonment by the Space of Ten Days, without Bail or Mainprife, and shall lose and forfeit Five Pounds of lawful Money of England.

Giving more Wages than taxed by Justices, &c.

Penalty.

XIX. And that every Person that shall be so retained and take Wages contrary to this Estatute or any Branch thereof, or of the said Proclamation, and shall be thereof convicted before the Justices aforesaid, or any Two of them, or before the Mayor or other Head Officers aforesaid, shall suffer Imprisonment by the Space of One and Twenty Days, without Bail or Mainprife.

Labourer, &c. taking more Wages. Penalty.

XX. And that every Retainer, Promise, Gift or Payment of Wages or other Thing whatsoever contrary to the true Meaning of this Estatute, and every Writing and Bond to be made for that Purpose, shall be utterly void and of none Effect.

Proviso.

XXI. And be it enacted by the Authority aforesaid, That if any Servant, Workman or Labourer, shall wilfully or maliciously make any Assault or Affray upon his Master, Mistress or Dame, or upon any other that shall at the Time of such Assault or Affray have the Charge or Oversight of any such Servant, Workman or Labourer, or of the Work wherein the said Servant, Workman or Labourer is appointed or hired to work, and being thereof convicted before any Two of the Justices, Mayor or other Head Officer aforesaid, where the said Offence is committed, or before either of the said Lords Presidents and Council before remembered, by Confession of the said Servant, Workman or Labourer, or by the Testimony, Witness and Oath of Two honest Men; that then every such Offender shall suffer Imprisonment by the Space of One whole Year or less, by the Discretion of Two Justices of Peace if it be without a Town Corporate, and if it be within a Town Corporate then by the Discretion of the Mayor or Head Officer of the same Town Corporate, with Two others of the discreetest Persons of the same Corporation at the least; and if

Servant making Assault upon his Master, &c.

Punishment.

the Offence shall require further Punishment, then to receive such other open Punishment so as it extend not to Life nor Limb, as the Justices of Peace in open Sessions, or as the more Part of them, or the said Mayor or Head Officer, and Six or Four at the least of the discreetest Persons of the same Corporation before whom the Offence shall be examined, shall think convenient for the Quality of the said Offence so done or committed.

Artificers refusing to work in Hay Time and Harvest.

XXII. Provided always, and be it enacted by the Authority aforesaid, That in the Time of Hay or Corn Harvest, the Justices of Peace and every of them, and also the Constable or other Head Officer of every Township, upon Request, and for the avoiding of the Loss of any Corn, Grain or Hay, shall and may cause all such Artificers and Persons as be meet to labour, by the Discretions of the said Justices or Constables, or other Head Officers, or by any of them, to serve by the Day for the mowing, reaping, shearing, getting or inning of Corn, Grain and Hay, according to the Skill and Quality of the Person; and that none of the said Persons shall refuse so to do upon Pain to suffer Imprisonment in the Stocks by the Space of Two Days and One Night; and the Constable of the Town or other Head Officer of the same, where the said Refusal shall be made, upon Complaint to him made, shall have Authority by virtue hereof to set the said Offender in the Stocks for the Time aforesaid, and shall punish him accordingly, upon Pain to lose and forfeit for not doing thereof the Sum of Forty Shillings.

Punishment.

Penalty.

Proviso for going into other Shires for work in Hay-time, &c.

XXIII. Provided also, That all Persons of the Counties where they have accustomed to go into other Shires for Harvest-work, and having at that Time no Harvest-work sufficient in the same Town or County where he or they dwelt in the Winter then last past, bringing with him or them a Testimonial under the Hand and Seal of One Justice of the Peace of the Shire, or other Head Officer of the Town or Place that he or they come from, testifying the same, for the which he shall pay not above One Penny (other than such Persons as shall be retained in Service, according to the Form of this Estatute) may repair and resort in Harvest of Hay or Corn, from the Counties wherein their Dwelling-places are, into any other Place or County for the only mowing, reaping and getting of Hay, Corn or Grain, and for the only working of Harvest-works, as they might have done before the making of this Estatute; any Thing herein contained to the contrary notwithstanding.

Fee.

What Women compellable to serve.

XXIV. And be it further enacted by the Authority aforesaid, That Two Justices of Peace, the Mayor or other Head Officer of any City, Borough or Town Corporate, and Two Aldermen, or Two other discreet Burgessees of the same City, Borough or Town Corporate, if there be no Aldermen, shall and may by virtue hereof, appoint any such Woman as is of the Age of Twelve Years, and under the Age of Forty Years and unmarried, and forth of Service, as they shall think meet to serve, to be retained or serve by the Year, or by the Week or Day, for such Wages, and in such reasonable Sort and Manner as they shall think meet; and if any such Woman shall refuse so to serve, then it shall be lawful for the said Justices of Peace, Mayor or Head Officers, to commit such Woman to Ward, until she shall be bounden to serve as is aforesaid.

Punishment.

XXV. And

XXV. And for the better Advancement of Husbandry and Tillage, and to the Intent that such as are fit to be made Apprentices to Husbandry, may be bounden thereunto; be it enacted by the Authority of this present Parliament, That every Person being an Houfholder, and having and using Half a Plough-land at the least in Tillage, may have and receive as an Apprentice any Person above the Age of Ten Years, and under the Age of Eighteen Years, to serve in Husbandry, until his Age of One and Twenty Years at the least, or until the Age of Twenty four Years, as the Parties can agree, and the said Retainer and taking of an Apprentice to be made and done by Indenture.

Husbandmen may take Apprentices.

XXVI. And be it further enacted, That every Person being an Houfholder, and Twenty four Years old at the least, dwelling or inhabiting, or which shall dwell and inhabit in any City or Town Corporate, and using and exercising any Art, Mystery or Manual Occupation there, shall and may after the Feast of *St. John Baptist* next coming, during the Time that he shall so dwell or inhabit in any such City or Town Corporate, and use and exercise any such Mystery, Art or Manual Occupation, have and retain the Son of any Freeman, not occupying Husbandry, nor being a Labourer, and inhabiting in the same, or in any other City or Town that now is or hereafter shall be and continue incorporate, to serve and be bound as an Apprentice after the Custom and Order of the City of *London*, for Seven Years at the least, so as the Term and Years of such Apprentices do not expire or determine afore such Apprentices shall be of the Age of Twenty four Years at the least.

Houfholders dwelling in Towns Corporate may take an Apprentice for Seven Years.

XXVII. Provided always, and be it enacted, That it shall not be lawful to any Person dwelling in any City or Town Corporate, using or exercising any of the Mysteries or Crafts of a Merchant trafficking by Traffick or Trade into any the Parts beyond the Sea, Mercer, Draper, Goldsmith, Ironmonger, Imbroiderer or Clothier, that doth or shall put Cloth to making and Sale, to take any Apprentice or Servant to be instructed or taught in any of the Arts, Occupations, Crafts or Mysteries which they or any of them do use or exercise; except such Servant or Apprentice be his Son, or else that the Father and Mother of such Apprentice or Servant shall have, at the Time of taking such Apprentice or Servant, Lands, Tenements or other Hereditaments, of the clear yearly Value of Forty Shillings of one Estate of Inheritance or Freehold at the least, to be certified under the Hands and Seals of Three Justices of the Peace of the Shire or Shires where the said Lands Tenements or other Hereditaments do or shall lie, to the Mayor, Bailiff or other Head Officers of such City or Town Corporate, and to be inrolled among the Records there.

What Apprentices Merchants, &c. in Towns Corporate may take.

XXVIII. And be it further enacted, That from and after the said Feast of *St. John the Baptist* next, it shall be lawful to every Person being an Houfholder, and Four and Twenty Years old at the least, and not occupying Husbandry, nor being a Labourer dwelling or inhabiting, or that shall hereafter dwell or inhabit in any Town not being incorporate, that now is or hereafter shall be a Market Town, so long as the same shall be weekly used and kept as a Market Town, and using or exercising any Art, Mystery or Manual Occupation, during the Time of his Abode there, and so using or exercising such Art, Mystery or Manual Occupation

What Apprentices Persons dwelling in Market Towns not Corporate, may take.

pound and agree the Matter between him and his Apprentice, then the said Justice, or the said Mayor or other Head Officer, shall take Bond of the said Master to appear at the next Sessions then to be holden in the said County, or within the said City, Town Corporate or Market Town, to be before the Justices of the said County, or the Mayor or Head Officer of the said Town Corporate or Market Town, if the said Master dwell within any such; and upon his Appearance and hearing of the Matter before the said Justices, or the said Mayor or other Head Officer, if it be thought meet unto them to discharge the said Apprentice of his Apprenticeship, that then the said Justices, or Four of them at the least, whereof one to be of the *Quorum*; or the said Mayor or other Head Officer, with the Assent of Three other of his Brethren, or Men of best Reputation within the said City, Town Corporate or Market Town, shall have Power by Authority hereof, in Writing under their Hands and Seals, to pronounce and declare, that they have discharged the said Apprentice of his Apprenticeship, and the Cause thereof; and the said Writing so being made and enrolled by the Clerk of the Peace or Town Clerk, amongst the Records that he keepeth, shall be a sufficient Discharge for the said Apprentice against his Master, his Executors and Administrators; the Indenture of the said Apprenticeship, or any Law or Custom to the contrary notwithstanding. And if the Default shall be found to be in the Apprentice, then the said Justices, or the said Mayor or other Head Officer, with the Assistance aforesaid, shall cause such due Correction and Punishment to be ministred unto him, as by their Wisdom and Discretions shall be thought meet. [See further, 20 G. 2. c. 19.]

Where Appren-
tice may be dis-
charged.

Punishment.

Provido.

XXXVI. Provided always, and be it enacted by Authority of this present Parliament, That no Person shall by Force or Colour of this Estatute be bounden to enter into any Apprenticeship, other than such as be under the Age of Twenty one Years.

Assembly of
the Justices
twice in the
Year for Execu-
tion of Act.

XXXVII. And to the End that this Estatute may from Time to Time be carefully and diligently put in good Execution, according to the Tenor and true Meaning thereof, be it enacted by Authority of this present Parliament, That the Justices of Peace of every County, dividing themselves into several Limits, and likewise every Mayor and Head Officer of any City or Town Corporate, shall yearly between the Feast of *St. Michael* the Archangel, and the Nativity of our Lord, and between the Feast of the Annunciation of our Lady, and the Feast of the Nativity of *St. John Baptist*, by all such Ways and Means as to their Wisdoms shall be thought most meet, make a special and diligent Enquiry of the Branches and Articles of this Estatute, and of the good Execution of the same; and where they shall find any Defaults, to see the same severely corrected and punished, without Favour, Affection, Malice or Displeasure.

Justices Allow-
ance for their
Pains.

XXXVIII. And in Consideration of the Pains and Travel that the said Justices of Peace, and the said Mayor and Head Officer shall take and sustain in and about the Execution of this Estatute, it is further ordained and enacted by Authority of this present Parliament, That every Justice of Peace, Mayor or Head Officer, for every Day that he shall sit in and about the Execution of this Estatute, shall have allowed unto him Five Shillings, to be allowed and paid unto him, or unto the said Mayor or Head Officer, of the

Fines

Fines and Forfeitures of the Pains and Penalties that shall be forfeited and due unto the Queen's Majesty, her Heirs and Successors, by Force of this Estatute, in such Manner and Form as the said Justices have been heretofore commonly paid for their Coming and Charges at the Quarter-Sessions; so that the Sitting of the said Justices or Mayor, or Head Officer, be not at any one Time above three Days, and for the Matters contained in this Estatute.

XXXIX. And be it enacted by Authority aforesaid, That the one Half of all Forfeitures and Penalties, expressed and mentioned in this Estatute, other than such as are expressly otherwise appointed, shall be to our Sovereign Lady the Queen's Majesty, her Heirs and Successors, and the other Moiety to him or them that shall sue for the same in any of the Queen's Majesty's Courts of Record, or before any of the Justices of *Oyer and Terminer*, or before any other Justices, or President and Council before remembred, by Action of Debt, Information, Bill of Complaint or otherwise; in which Actions or Suits, no Protections, Wager of Law or Essoin shall be allowed; and that the said Justices, or Two of them, whereof One to be of the *Quorum*, and the said Presidents and Council, as is aforesaid, and the said Mayors or other Head Officers of Cities or Towns Corporate, shall have full Power and Authority to hear and determine all and every Offence and Offences that shall be committed or done against this Estatute, or against any Branch thereof, as well upon Indictment to be taken before them in the Sessions of the Peace, as upon Information, Action of Debt, or Bill of Complaint to be sued or exhibited by any Person; and shall and may by virtue hereof make Process against the Defendant, and award Execution, as in any other case they lawfully may by any the Laws and Statutes of this Realm; and shall yearly in *Michaelmas* Term certify by *Estreit*, the Fines and Forfeitures of every the Offences contained in this Estatute, that shall be found before them, into the Court of Exchequer, in like Sort and Form as they be bound to certify the *Estreits* for other Offences and Forfeitures to be lost before them; any Thing in this Statute contained to the contrary notwithstanding.

Who shall have Forfeitures.

Justices of Peace, &c. may determine Offences.

XL. Provided always, That this Act, or any Thing therein contained or mentioned, shall not be prejudicial or hurtful to the Cities of *London* and *Norwich*, or to the lawful Liberties, Usages, Customs or Privileges of the same Cities, for or concerning the having or taking of any Apprentice or Apprentices; but that the Citizens and Freemen of the same Cities shall and may take, have and retain Apprentices there, in such Manner and Form as they might lawfully have done before the making of this Statute; this Act, or any Thing therein contained, to the contrary in any wise notwithstanding.

Proviso for London and Norwich.

XLI. And be it also further enacted, That all Indentures, Covenants, Promises and Bargains of or for the having, taking or keeping of any Apprentice, otherwise hereafter to be made or taken, than is by this Statute limited, ordained and appointed, shall be clearly void in the Law, to all Intents and Purposes; and that every Person that shall from henceforth take or newly retain any Apprentice contrary to the Tenor and true Meaning of this Act, shall forfeit and lose for every Apprentice so by him taken, the Sum of Ten Pounds.

Taking Apprentices otherwise than by Act.

Penalty.

XLII. And

‘ XLII. And because there hath been, and is some Question
 ‘ and Scruple moved, whether any Person, being within the Age
 ‘ of One and twenty Years, and bounden to serve as an Apprentice,
 ‘ in any other Place than in the said City of *London*, should be
 ‘ bounden, accepted and taken as an Apprentice;’

Apprentice
 bound within
 Age compellable
 to serve.

XLIII. For the Resolution of the said Scruple and Doubt, be it enacted by Authority of this present Parliament, That all and every such Person or Persons that at any Time or Times from henceforth shall be bounden by Indenture to serve as an Apprentice in any Art, Science, Occupation or Labour, according to the Tenor of this Estatute, and in Manner and Form aforesaid, albeit the same Apprentice, or any of them, shall be within the Age of One and twenty Years, at the Time of the making of their several Indentures, shall be bounden to serve for the Years in their several Indentures contained, as amply and largely to every Intent, as if the same Apprentice were of full Age at the Time of the making of such Indentures; any Law, Usage or Custom to the contrary notwithstanding.

Proviso for
 Godalming.

XLIV. Provided always, and be it enacted by the Authority aforesaid, That the Inhabitants now dwelling or inhabiting, or that hereafter shall dwell or inhabit within the Town of *Godalming* within the County of *Surrey*, within the Limits of the Watch of the said Town, may use and exercise such Arts, Mysteries and Occupations, and take and use Apprentices and Servants, in such Manner and Form as the Inhabitants within Market Towns by this Statute may lawfully do.

Who shall have
 the Forfeiture in
 Cities and Towns
 Corporate.

XLV. Provided always, and be it enacted by the Authority aforesaid, That all Manner Amerciaments, Fines, Issues and Forfeitures which shall arise, grow or come by reason of any Offences or Defaults mentioned in this Act, or any Branch thereof, within any City or Town Corporate, shall be levied, gathered and received by such Person or Persons of the same City or Town Corporate, as shall be appointed by the Mayor or other Head Officers mentioned in this said Act, to the Use and Maintenance of the same City or Town Corporate, in such Case and Condition as any Manner other Amerciaments, Fines, Issues or Forfeitures have been used to be levied and employed within the same City or Town Corporate, by reason of any Grant or Charter from the Queen's Majesty that now is, or of any her Grace's Noble Progenitors, made and granted to the same City, Borough or Town Corporate; any Thing or Clause before mentioned and expressed in this Act to the contrary notwithstanding.

Retainings and
 Covenants made
 before this Sta-
 tute.

XLVI. Provided always, That this Act, or any Thing therein contained, shall not extend to any lawful Retainings or Covenants had or made before the making of this Act, but that all and every the Parties to such Retainings or Covenants shall and may have the same and like Advantages of such Retainings and Covenants, and of the Statutes heretofore in that Behalf provided, as if this Act had never been had or made; any Clause of Repeal or other Matter whatsoever in this Act to the contrary in any wise notwithstanding.

Servants depart-
 ing into other
 Shires.

XLVII. And be it further enacted by the Authority aforesaid, That if any Servant or Apprentice of Husbandry, or of any Art, Science or Occupation aforesaid, unlawfully depart or flee into any other Shire; that it shall be lawful to the said Justices of Peace, and

and to the said Mayors, Bailiffs and other Head Officers of Cities and Towns Corporate, for the Time being Justices of Peace there, to make and grant Writs of *Capias*, so many, and such as shall be needful, to be directed to the Sheriffs of the Countie, or to other Head Officers of the Places whither such Servants or Apprentices shall so depart or flee, to take their Bodies, returnable before them at what Time shall please them; so that if they come by such Process, that they be put in Prison till they shall find sufficient Surety well and honestly to serve their Masters, Mistresses or Dames from whom they so departed or fled, according to the Order of the Law.

Capias.

Imprisonment.

XLVIII. Provided always, That it shall be lawful to the High Constables of Hundreds in every Shire, to hold, keep and continue Petty Sessions, otherwise called Statute Sessions, within the Limits of their Authorities, in all Shires wherein such Sessions have been used to be kept, in such Manner and Form as heretofore hath been used and accustomed, so as nothing be by them done therein contrary or repugnant to this present Act.

High Constables may keep Statute Sessions.

[Where Actions under this Statute to be brought, 31 Eliz. c. 5. § 7.]

C A P. V.

An Act touching certain Politick Constitutions made for the Maintenance of the Navy.

FOR the better Maintenance and Increase of the Navy of this Realm of *England*, be it enacted by the Queen's most Excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority aforesaid:

"Sea-fish may be carried forth of the Realm in any Subjects Ships for Four Years without paying Customs. § 1. EXP.

II. And be it further enacted by the Authority aforesaid, That from the First Day of *May* next coming it shall not be lawful to any Person or Persons in any Port, City, Town, Market or other Place within this Realm, to set Price, make any Restraint, or take or demand Toll or Tax of any Sea-fish to be brought into this Realm, or any Part thereof, being taken by any of the Subjects aforesaid in the Ships or other Vessels of the same Subjects, upon Pain to every Person offending contrary to the Meaning hereof, to forfeit the Value of the Fish so restrained, prized, tolled or taxed; any Liberty, Custom, Grant, Privilege or other Matter whatsoever to the contrary in any wise notwithstanding. [On Penalty, Ten Pounds, 10 & 11 W. 3. c. 24. § 10.]

Demanding Toll, &c. of Sea-fish brought into this Realm.

Penalty.

III. Provided always, That this present Act, nor any Thing therein contained, shall be prejudicial or hurtful to the Mayor and Burgeses of the King's Town upon *Hull*, or their Successors, Mayors and Burgeses of the same Town, or to any other Officer or Minister of the same Town at any Time hereafter; but that they and every of them may receive, have and take all and every such Toll, Customs and Sums of Money, of all and every such Person and Persons, as is limited, appointed and set forth by them to be taken in an Act of Parliament made in the Three and thirtieth Year of the Reign of our late Sovereign Lord King *Henry* the Eighth: And that neither the said Mayor and Burgeses of *Kings-ton* upon *Hull*, nor any Inhabitant there, or any of them, shall take any Advantage

Provide for the Mayor, &c. of Kingston upon Hull.

33 H. 8. c. 33.

Advantage of that Article of this Estatute for the Carriage of any Herrings or salted Fish to any the Parts beyond the Sea; any Thing in this present Act mentioned, contained, specified or declared in any wise to the contrary notwithstanding.

“No Purveyor shall take any Sea-fish of any that shall take the same in any Subjects Ship. § 4. [Purveyance taken away, 12 Car. 2. c. 24. § 12.]

A Proviso for Composition-fish.

V. Provided, That the Fish called Composition-fish, heretofore granted to the Queen's Majesty by the Subjects of this Realm travelling into *Iceland*, shall be taken by Her Majesty's Officers and Purveyors, in such Sort as the same hath been lawfully used to be taken before the making of this Act; and saving to the Queen's Majesty, her Heirs and Successors, and to all other Persons, such Fishes as be known and used to be called Regal Fishes, whereunto her Majesty, or the said other Persons, have or shall have Right or Interest, for such Recompence, as heretofore hath been accustomed.

Regal Fishes.

Regulations for Herrings.

VI. And be it further enacted by the Authority aforesaid, That from the First Day of *April*, which shall be in the Year of our Lord God One thousand five hundred sixty four, it shall not be lawful to any Person or Persons, to buy of any Stranger born out of the Queen's Majesty's Obeysance, or out of any Stranger's Bottom, any Herring, being not sufficiently salted, packed and casked, upon Pain to every Person and Persons so buying, to forfeit the Herrings so by him or them to be bought or the Value thereof.

Penalty.

Proviso.

VII. Provided always, That this Branch of this Act shall not extend to any Herrings to be bought, which by Reason of Shipwreck shall be brought into this Realm, but that it shall be lawful to all and every Person and Persons to buy all such Herrings so brought in by Shipwreck as aforesaid, as he or they lawfully might have done before the making of this Act; any Thing in this Act contained to the contrary in any wise notwithstanding.

Strangers Ships.

VIII. Be it also further enacted by the Authority aforesaid, That from the Feast of *St. John Baptist* next ensuing, it shall not be lawful to any Person or Persons to cause to be laden and carried in any Bottom or Bottoms whereof any Stranger or Strangers born then be Owners, Shipmasters or Part-owners, any Kind of Fish, Victual, Wares or Things, of what Kind or Nature soever the same shall be, from one Port or Creek of this Realm to another Port or Creek of the same Realm; upon Pain to every one that shall offend contrary to the true Meaning of this Branch of this present Act, to forfeit all the Goods so laden or carried or the Value thereof.

Penalty.

1 Eliz. c. 13.

IX. And that from henceforth all *English* Hoys and Plats may cross the Seas as far as *Caen* in *Normandy*, and Eastward as far as *Norway*; the Statute made in the First Year of the Queen's Majesty's Reign to the contrary hereof notwithstanding. [See 13 Eliz. c. 15. EXP.]

Cod, &c. must be imported loose.

X. And soasmuch as there is much deceitful Packing used in Cod and Lings brought in Barrels or other Casks into this Realm; Be it therefore enacted by the Authority aforesaid, That from and after the First Day of *April* in the Year of our Lord God One thousand five hundred sixty four, it shall not be lawful to any Person or Persons to bring into this Realm any Cod or Lings in Barrels or other Casks, but loose in Bulk and by Tale,

to be sold within this Realm; upon Pain for every one that shall offend contrary to the Tenor hereof, to forfeit all the Cod and Ling so to be brought in or the Value thereof.

Penalty.

XI. And be it further enacted, That from the Feast of *St. Michael* the Archangel next following, no Person or Persons whatsoever shall bring into this Realm of *England* or any Part of the same, any Wine coming out of any of the Dominions or Countries belonging to the Crown of *France*, or any Woad called *Tbolouse* Woad, in any other Vessel or Vessels, but only in such Vessel and Vessels, whereof some Subject or Subjects of the Queen's Majesty, her Heirs or Successors, shall be then only Owner or Part-owner; upon Pain to forfeit all Wines and Woad brought contrary to the Meaning hereof, according to the Meaning of an Estatute made in the Time of the Reign of King *Henry* the Seventh concerning Wine of the Duchy of *Gascoign* and *Guyen*, except that there may be brought into *Wales*, or any Port within the County of *Monmouth*, *Rochel* Wines.

Wines, &c. from France must be imported in English Shipping.

Penalty.

4 & 5 H. 7. c. 10.

XII. Be it also enacted by the Authority aforesaid, That from henceforth it shall be lawful to all and every Owner and Owners of Ships or Vessels, and to every Housholder using and exercising the Trade of the Seas by Fishing or otherwise, and to every Gunner or Gunners, commonly called Canoneers, and to every Shipwright, to take and keep one or more Apprentice or Apprentices to be brought up in the said Trade or Trades, every of the same Apprentice or Apprentices to be to them bound for Ten Years or under: And every Apprentice so taken, being above Seven Years of Age, shall be by the same Covenantants bound, ordered and used to all Intents according to the Custom of the City of *London*; so that the same Covenant or Bond of Apprenticeship be made by Writing indented, and inrolled in the Town where the same Apprentice shall be then inhabiting, if it be a Town Corporate; and if the Town be not incorporate, then to be inrolled in the next Town incorporate to the Habitation of every such Apprentice: And that the Officers of every such Town Corporate shall take for every such Inrolment not above Twelve Pence; any Law, Statute or other Matter whatsoever to the contrary notwithstanding.

Owners of Ships, &c. may take Apprentices.

Fee.

XIII. And be it further enacted, That so much of the Statute made in the Fifth and Sixth Years of the late King *Edward* the Sixth, intituled, *An Act against Regrators, Forefallers and Ingrossers*, and so much of all other Estatutes against Regrators, Forefallers and Ingrossers, as doth and may concern the buying of Sea-fish unfalted or Mud-fish, or any Wine, Oil or Salt, to be taken and brought in any *English* Subjects Ships, Crayers or other Vessel, unto any Port, Creek or Place of this Realm, shall from henceforth to all Intents, Construtions and Purposes, be utterly repealed and void, for so much of the said Oils, Wine, Sea-fish, Mud-fish and Salt, as any Buyer or Buyers upon the Sea, by way of Forefalling or Regrating, shall and do bring and discharge in any Port or Haven within this Realm.

Part of 5 & 6 R. 6. c. 14, &c. repealed.

[5 & 6 E. 6. c. 14. repealed,

12 G. 3. c. 71. § 1.]

XIV. And for Increase of Provision of Fish by the more usual and common Eating thereof, Be it further enacted by the Authority aforesaid, That from the Feast of *St. Michael* the Archangel in the Year of our Lord God One thousand five hundred sixty four, every *Wednesday* in every Week throughout the whole Year, which heretofore hath not by the Laws or Customs of this Realm

Wednesday a Fish-day.

been used and observed as a Fifth-day, and which shall not happen to fall in *Christmas Week* or *Easter Week*, shall be hereafter observed and kept, as the *Saturdays* in every Week be or ought to be: And that no Manner of Person shall eat any Flesh on the same Day, otherwise than ought to be upon the common *Saturday*.
[*Repealed, 27 Eliz. c. 11.*]

Fifth-days to be observed.

XV. And be it further enacted by the Authority aforesaid, for the Benefit and Commodity of this Realm, to grow as well in Maintenance of the Navy, as in Sparing and Increase of Flesh Victual of this Realm; That from and after the Feast of *Pentecost* next coming it shall not be lawful to any Person or Persons within this Realm to eat any Flesh upon any Days now usually observed as Fifth-days, or upon any *Wednesday* now newly limited to be observed as Fifth-day; upon Pain that every Person offending herein shall forfeit Three Pound for every Time he or they shall offend, or else suffer Three Months close Imprisonment without Bail or Mainprife.
[*Repealed, 27 Eliz. c. 11.*]

Penalty.

Chaueling Offences.

XVI. And every Person or Persons within whose House any such Offence shall be done, and being privy or knowing thereof, and not effectually punishing, or disclosing the same to some publick Officer having Authority to punish the same, for every such Offence to forfeit Forty Shillings: All which Forfeitures for not abstaining from Meats, shall be divided into Three equal Parts; that is, one Part to the Use of the Queen's Majesty, her Heirs or Successors; the other Part to the Informer; the Third to the common Use of the Parish where the Offence is or shall be committed, and to be levied by the Churchwardens after any Conviction in that Behalf.
[*Altered as to Penalty, 35 Eliz. c. 7. § 22. Repealed by 27 Eliz. c. 11.*]

Penalty.

Proviso.

XVII. Provided always and be it enacted, That this Act, nor any Thing herein contained concerning eating of Flesh, shall in any wise extend to any Person or Persons that shall hereafter have any special Licence, upon Causes to be contained in the same Licence, and to be granted according to the Laws of this Realm in such Cases provided:

Licences to eat flesh.

What shall be paid for Licence.

XVIII. All and every which said Licence and Licences shall be void to all Intents, unless the same contain the Conditions hereafter mentioned; that is to say, every Licence made to any Person or Persons being of the Degree of a Lord of Parliament, or of their Wives, shall be upon Condition, that every such Person so to be licensed shall pay to the poor Mens Box within the Parish where they shall dwell or remain, in the Feast of the Purification of the blessed Virgin *Mary*, or within Six Days after the same Feast, Six and twenty Shillings and Eight Pence, the same to be paid within One Month next after the same Feast, upon Pain of Forfeiture of every such Licence; and every Licence to any Person of the Degree of a Knight or a Knight's Wife, shall be upon Condition, that every such Person so licensed shall pay yearly Thirteen Shillings and Four Pence, to the Use aforesaid, and in Form afore mentioned; and every Licence to any Person or Persons being under the Degrees aforesaid, shall be upon Condition, that every such Person so licensed shall pay yearly Six Shillings and Eight Pence to the said Use, and in Form afore mentioned.

Penalty.

Proviso.

XIX. Provided always, That no Licence shall extend to the Eating of any Beef at any Time of the Year, nor to the Eating of

of any Veal in any Year from the Feast of *St. Michael* the Archangel unto the First Day of *May*.

XX. Provided also, That all Persons which by reason of notorious Sicknes shall be enforced for Recovery of Health to eat Flesh for the Time of their Sicknes, shall be sufficiently licensed by the Bishop of the Diocese; or by the Parson, Vicar or Curate of the Parish where such Person shall be sick, or of one of the next Parish adjoining, if the said Parson, Vicar or Curate of his or their own Parish be wilful, or if there be no Curate within the same Parish; which Licence shall be made in Writing signed with the Hand of the Bishop of the Diocese, or of the Parson, Vicar or Curate, and not to endure longer than the Time of the Sicknes: And that if the Sicknes shall continue above the Space of Eight Days after such Licence granted, then the Licence shall be registred in the Church Book, with the Knowledge of one of the Churchwardens; and the Party licensed shall give to the Curate Four Pence for the Entry thereof, and that Licence to endure no longer, but only for the Time of his, her or their Sicknes.

Licences in
Times of Sick-
ness.

XXI. And if any Licence by any Parson, Vicar or Curate, be granted to any Person or Persons, other than such as evidently appear to have Need thereof by reason of their Sicknes; not only every such Licence shall be void, but also every such Parson, Vicar or Curate, shall forfeit for every such Licence otherwise granted, Five Marks.

Fee.

Penalty.

XXII. Provided also, and be it enacted, That all Licences heretofore granted to any Subject of this Realm by any of the late Kings, or by the late Queen *Mary*, or by the Queen's Majesty now being, or by any Archbishop of this Realm, having Authority so to do, shall be of as good Force in Law for the *Wednesday* now limited, and other accustomed Fish-days, as they were before the making of this Act for the said other accustomed Fish-days, so as the Parties licensed do hereafter observe all such Conditions as be limited in this Estatute to such as shall hereafter obtain any Licences.

Proviso.

XXIII. And such Persons also as heretofore were or ought to be licensed by reason of Age or other Impediment or Cause, by Order of the Ecclesiastical Laws, shall enjoy the same Privilege and accustomed Licences; any Thing in this Act to the contrary hereof in any wise notwithstanding.

Licences by the
Law Ecclesiasti-
cal.

XXIV. And be it enacted by the Authority of this present Parliament, That no Forfeiture of Ship, Crayer or other Vessel, or of any Apparel of the same, nor any other Penalty or Forfeiture, shall be extended or grow against any Owner or Owners of any Ship, Crayer or other Vessel, for the Transporting or Carrying of any Wheat or other Corn, or Things prohibited by the Estatute made in the Parliament holden the First and Second Years of King *Philip* and Queen *Mary*, unless the same Owner or Owners shall be witting, knowing, aiding or consenting to the Prohibiting, Transporting or Carrying; the said Statute or any Thing therein mentioned to the contrary hereof in any wise notwithstanding.

1 & 2 P. & M.
c. 5.

In what only
Case Owner of
Ship shall forfeit
for transporting
Corn.

XXV. And be it further enacted by the Authority of this present Parliament, That all and every Person and Persons, which be or shall be by the Laws and Estatutes of this Realm, or otherwise authorized to sell Wines by Retail in the several Counties and Places where they be or shall be so authorized, shall and may from

Prices of Wines
limited by Pro-
clamation.

28 H. 8. c. 14.

henceforth sell the said Wines by Pint, Quart, Pottle, Gallon or otherwise, at such Price or Prices, and in such Form, as shall be limited by the Queen's Majesty's Proclamation in that County or Place, made with the Assent of such Lords and other Persons, as by the Statute made in the Twenty eighth Year of the Reign of King *Henry* the Eighth were authorised to set Price upon Wines in gross, without any Pain or Forfeiture for the same; any Law, Usage or Estatute heretofore made or had to the contrary hereof in any wise notwithstanding.

When and upon
what Prices and
Conditions each
Person may
transport Corn.

XXVI. And be it further enacted by the Authority of this present Parliament, That from and after the Feast of *Saint Michael* the Archangel next coming, it shall be lawful to all and every Person and Persons, being Subjects to the Queen's Majesty, her Heirs and Successors, only out of such Ports and Creeks as by the Queen's Majesty's Proclamation hereafter shall be published and appointed, and not elsewhere, to load, carry or transport any Wheat, Rye, Barley, Malt, Pease or Beans, into any Parts beyond the Seas, to sell as a Merchandise, in Ships, Crayers or other Vessels, whereof any *Engliſh*-born Subjects then shall be the only Owners; so that the Price of the said Corn or Grain so carried or transported, exceed not the Prices hereafter following, at the Times, Havens and Places, where and when the same Corn or Grain shall be shipped and laden; *viz.* The Quarter of Wheat at Ten Shillings; the Quarter of Rye, Pease or Beans, at Eight Shillings; the Quarter of Barley or Malt at Six Shillings Eight Pence of current Money of *England*; any Law, Usage or Estatute heretofore made to the contrary hereof in any wise notwithstanding. [See 31 G. 3. c. 30.]

18 H. 6. c. 19.

XXVII. And where Doubt hath heretofore been, whether the Statute in the Eighteenth Year of the Reign of King *Henry* the Sixth, heretofore made against Soldiers retained which depart from their Captains without Licence, did or ought to extend unto Mariners and Gunners serving on the Seas, taking Wages of the King or Queen of this Realm; Be it expressed, ordained, enacted and declared by Authority of this present Parliament, That the said Estatute made in the said Eighteenth Year of the Reign of King *Henry* the Sixth, in all Pains, Forfeitures and other Things, did, doth and hereafter shall extend, as well to all and every Mariner and Gunner having taken or shall hereafter take Prest or Wages to serve the Queen's Majesty, her Heirs or Successors, to all Intents and Purposes, as the same did or doth unto any Soldier; any Diversities of Opinion, Doubt, Matter or Thing to the contrary hereof in any wise notwithstanding.

Extended to Ma-
riners and Gun-
ners.

“ 24 H. 8. c. 4. revived. § 28, 29.

[Repealed, 35 Eliz.

c. 7. § 21.]

What Magis-
trates shall de-
termine Offences.

XXX. And further, be it ordained and enacted by the Authority aforesaid, That all and every such of the Offences before mentioned, as hereafter shall be done on the main Sea or Coasts of the Sea, being no Part of the Body of any County of this Realm, and without the Precinct, Jurisdiction and Liberties of the Cinque Ports, and out of any Haven or Pier, shall be tried and determined before the Lord Admiral of *England* or his Lieutenant, Deputy or Deputies, and other Justices of *Oyer* and *Terminer*, according to the Form of the said Estatute of *Anno* 28 *Henrici* 8. for Causes of Piracy: And if the same shall be done on the main Sea or Coasts of the Sea, within the Jurisdiction or Liberty of the Cinque Ports, and

28 H. 8. c. 15.

and out of any Haven or Port, then the same to be tried and determined before the said Lord Warden of the said Cinque Ports or his Lieutenant or Judge, or before Justices of *Oyer and Terminer*, according to the true Form of the said Estatute of Anno 28 *Henrici* 8. for Causes of Piracy: And for all and singular such other of the Offences before mentioned, as shall be done in the Land or within any Haven or Pier, all Justices of Peace in their Sessions, and Mayors, Sheriffs and Bailiffs, and other Head Officers in Cities and Towns Corporate, in their Sessions or other Courts within the Limits of their Commissions or Authorities, shall have full Power and Authority to enquire of the Offenders of this Act, as well by the Oaths of Twelve Men, as otherwise by Information, and thereupon to hear and determine the same.

XXXI. And if any Person or Persons shall be presented before the said Judges, Justices or Officers, within the Limits of their Authorities, or any Information given to them of any Offender of this Act, that then they shall have full Power and Authority upon any such Presentment or Information, to make Process against the Offenders of this Act, like as is commonly used upon Indictments of Trespas: And if any be presented, and afterward be convicted, by Confession or otherwise, that then every such Person shall suffer no less Forfeiture or Punishment than herein is before limited: All which Forfeitures to be levied in Manner and Form following; that is to say, such Forfeitures concerning eating of Flesh, as are before limited to certain Uses, to be to the same Uses in that Behalf before expressed; and all such Forfeitures, as according to the Tenour of this Act shall be determinable before the said Judges, Justices or other Officers of the Admiralties aforesaid, or before Commissioners of *Oyer and Terminer* in that Behalf, shall be to the Use of the Lord Admiral of *England* or Lord Warden of the Cinque Ports, where such Offence shall be presented, or where the Jurisdiction of the Cause shall appertain.

Who shall have
the Benefit of
the Forfeitures.

XXXII. And all such Forfeitures, as according to the Tenour of this Act shall be determinable before the Mayors, Sheriffs, Bailiffs or other Head Officers of Cities or Towns Corporate, shall be to the common Use of the Corporation of the said City or Town Corporate where such Offences shall be presented, or whereto the Jurisdiction of the Cause shall appertain.

XXXIII. And that all such Forfeitures, as according to the Tenour of this Act shall be determinable before the Justices of the Peace, shall be to the Use of the Queen's Majesty, her Heirs and Successors: And if any Person shall be convicted by Confession or otherwise, upon any Information made by any Person or Persons against any Offender or Offenders of this Act, in any Cause (save for the eating of Flesh first before specially limited) that then every such Person so convicted upon any Information shall lose such Forfeiture as is before limited; the One Half thereof to be to such as so shall make the Information, and the other Half to those, which upon Presentment, without special Information, are before limited to have the whole Forfeiture.

XXXIV. And that for the levying of every Forfeiture growing by this Estatute, as well the said Lord Admiral of *England*, Lord Warden of the Cinque Ports, their Lieutenants and Judges, as the said Justices, Mayors, Sheriffs, Bailiffs and other Head Officers within the Limits of their Commissions or Authorities,

Process.

have and shall have full Power and Authority to make such Proceſs as they ſhall think good by their Diſcretions.

Within what
time Informa-
tion to be laid.

XXXV. Provided alway, That no Information at the Suit of any Perſon concerning this Act ſhall be of any Effect to put any Perſon to Answer or Loſs of Forfeiture, except the ſaid Information be commenced within Half a Year next after the Offence done contrary to this Act; nor that any Information or Preſentment for the Queen's Majeſty, her Heirs or Succeſſors, or for the Admiral, Warden of the Cinque Ports, Mayors or other Officers aforeſaid, be of any Effect, to put any Perſon to Answer or Loſs of any Forfeiture by virtue of this Act, except the ſaid Information or Preſentment be within one Year next after the Offence done and committed contrary to this Act.

Regulations for
Diet on Wedneſ-
days.

XXXVI. Provided, and be it likewiſe enacted, That it ſhall be lawful to any Perſon or Perſons to have at his or their Table upon every *Wedneſday*, being ordered by this Eſtate to be obſerved as a Fiſh-day, one only uſual competent Diſh of Fleſh of one Kind and no more, ſo that he, ſhe or they have alſo ſerved to the ſame Table and Meaſe at the ſame Meal, three full competent uſual Diſhes of Sea-fiſh of ſundry Kinds, either freſh or ſalt, and that without Fraud or Covin, and ſo ſhall alſo order that the ſame Fiſh be meet and ſeaſonable, and that it ſhall be eaten or ſpent in like Manner as upon *Fridays* or *Saturdays* in like Caſe are uſed.

XXXVII. And alſo ſuch Perſons as have, or hereafter ſhall have, upon good and juſt Conſideration, any lawful Licence to eat Fleſh upon any Fiſh-day, (except ſuch Perſons as for Sickneſs ſhall for the Time be licenced by the Biſhop of the Dioceſe or by their Curates, or ſhall be licenced by Reaſon of Age or other Impediment allowed heretofore by the Eccleſiaſtical Laws of this Realm) ſhall be bound by force of this Statute to have for every one Diſh of Fleſh ſerved to be eaten at their Table, one uſual Diſh of Sea-fiſh, freſh or ſalt, to be likewiſe ſerved at the ſame Table, and to be eaten or ſpent without Fraud or Covin, as the like Kind is or ſhall be uſually eaten or ſpent on *Saturdays*.

Puniſhment.

XXXVIII. And that theſe two Articles and Clauſes next above ſhall be taken and interpreted from Time to Time in the Favour of Expence of Sea-fiſh, and that the Offender or Offenders herein ſhall be puniſhed in like Manner as is ordered by this Eſtate for Puniſhment of ſuch as ſhall eat Fleſh upon *Fridays*, *Saturdays*, or other Fiſh-days.

XXXIX. And becauſe no Manner of Perſon ſhall miſjudge of the Intent of this Eſtate, limiting Orders to eat Fiſh, and to forbear eating of Fleſh, but that the ſame is purpoſely intended and meant politickly for the Increaſe of Fiſhermen and Mariners, and repairing of Port-Towns and Navigation, and not for any Superſtition to be maintained in the Choice of Meats:

Spreaders of
faſe News.

XL. Be it enacted, That whoſoever ſhall by Preaching, Teaching, Writing or open Speech notify, that any eating of Fiſh, or forbearing of Fleſh, mentioned in this Statute, is of any Neceſſity for the Saving of the Soul of Man, or that it is the Service of God, otherwiſe than as other Politick Laws are and be; that then ſuch Perſons ſhall be puniſhed as Spreaders of faſe News are and ought to be.

[Sections 36—40. repealed, 27 Eliz.

c. 11. § 3.]

XLI. Be

XL I. Be it enacted in the Favour of Fishermen and Mariners haunting the Sea as Fishermen or Mariners, That none of them shall hereafter, at any time, be compelled against his or their Will to serve as any Soldiers upon the Land or upon the Sea, otherwise than as a Mariner, except it shall be to serve under any Captain of some Ship or Vessel, for landing to do some special Exploit which Mariners have used to do, or under any other Person having Authority to withstand any Invasion of Enemies, or to subdue any Rebellion within the Realm, and also except all such Persons as by Tenure, lawful Custom or Covenant, be or shall be otherwise bound to serve.

In what Cases only Fishermen, &c. compelled to serve as Soldiers.

XLII. Provided always, and be it enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not extend to take away or diminish any Liberty, Privilege, Franchise, Forfeiture or Amerciament, Fines, Issues, Wrecks of the Sea, or any other lawful Inheritance or Freehold, from any Person or Persons, Bodies Politick or Corporate, their Heirs or Successors, for or touching any lawful Liberty, Authority or Jurisdiction Admiral, or for Conservation of any Water that they or any of them now have lawfully, or hereafter shall have; any Thing in the same to the contrary notwithstanding.

General Saving.

XLIII. Provided always, and be it further enacted by the Authority aforesaid, That no Fishermen using or haunting the Sea shall be taken by the Queen's Majesty's Commission to serve her Highness as a Mariner on the Sea; but that the said Commission be first brought by her Highness Taker or Takers to Two Justices of Peace next adjoining and inhabiting to the said Sea Coasts, Towns or other Places, where the said Mariners are so to be taken, to the Intent the said Justices may choose out and cause to be returned such sufficient Number of able Men, as in the said Commission shall be contained, to serve her Majesty, as is aforesaid.

In what Cases Fishermen shall serve as Mariners.

XLIV. Saving always to the Cinque Ports, and also to the Town of *Great Tarmouth*, all such lawful Liberties as they justly have before the making of this Act, touching the Free Fair kept at *Tarmouth*, other than in buying of Strangers, and taking of Toll, as the same be before prohibited.

Cinque Ports, &c.

XLV. Provided always, That any Thing in this Act contained shall not be hurtful or prejudicial to any Authority, Stile, Preheminence, Dignity or Jurisdiction belonging to the Office of the Lord Warden of the Cinque Ports.

Lord Warden.

XLVI. Provided always, That it shall and may be lawful to and for any Person or Persons, being Strangers born, to bring yearly in any Ship, Bottom or Vessel whereof any Stranger or Strangers born is or shall be Owner or Owners, into any Havens, Ports and Towns of the *Isle of Man*, or into any of them, any of the Wines made in any of the Dominions or Countries belonging to the Crown of *France*; and in the same Ports and Towns, or any of them, to discharge the said Wines so to be brought; so that there be not brought and discharged by the same Strangers, in any such Strangers Ships, Bottoms or Vessels, in any one Year, in or at the said Havens, Ports and Towns, or any of them, above One hundred Tons at the most; this Act or any Thing therein contained to the contrary thereof notwithstanding.

What Wine may be brought in Strangers Ships into the Isle of Man.

XLVII. Provided also, That it shall and may be lawful to and for any Person or Persons, being Strangers born, to bring yearly

Wine brought in Strangers Ships into Chepstow.

in any Ship, Vessel or Bottom, whereof any Stranger or Strangers born is or shall be Owner or Owners, into the Haven, Port and Town of *Chepflow* in the County of *Monmouth*, any Wines made in any of the said Dominions or Countries belonging to the said Crown of *France*, over and besides all *Rochel* Wines heretofore in this Act allowed to be brought, and in the same Port and Town to discharge the said Wines, so that there be not brought and discharged by the same Strangers in any such Strangers Ships, Bottoms or Vessels, in any one Year, in or at the said Haven, Port and Town, above One hundred Tons at the most; this Act or any Thing therein contained to the contrary notwithstanding.

What Wine may
be brought in
Strangers Ships
into Wales and
Newport,

XLVIII. Provided also, That it shall and may be lawful to and for any Person or Persons, being Strangers born, to bring yearly in any Ship, Vessel or Bottom, whereof any Stranger or Strangers born is or shall be Owner or Owners, into the Havens, Ports and Towns of *Cardiff*, *Carnarvon*, *Bewmaris*, and other Havens, Ports and Towns of *South Wales* and *North Wales*, or any of them, and into the Haven, Port and Town of *Newport* in the said County of *Monmouth*, any of the said Wines made in any of the said Dominions or Countries belonging to the said Crown of *France*, over and besides all *Rochel* Wines heretofore in this Act allowed to be brought, and in and at the same Ports and Towns, or any of them, to discharge the said Wines so to be brought, so that there be not brought and discharged by the same Strangers, in any such Strangers Ships, Bottoms or Vessels, in any one Year, in or at the said Havens, Ports and Towns, or any of them, above One hundred Tons at the most; this Act or any Thing therein contained to the contrary thereof notwithstanding.

Saving of the
Queen's Duties.

XLIX. Saving unto the Queen's Majesty, her Heirs and Successors, all such Duties and Things which her Highness, her Heirs and Successors ought to have and enjoy, be answered and paid, for the said Three hundred Tons of Wines mentioned in the said Three last Provisoos, to be brought and discharged, as in the same Three Provisoos have been mentioned and declared; any Thing in this Act to the contrary thereof notwithstanding.

The Lord Ad-
miral, &c. shall
have no greater
Authority than
he had before.

L. Provided also, and be it further enacted by the Authority aforesaid, That this Act, or any Thing or Things therein contained, shall not in any Manner of wise extend to give unto the Lord Admiral of *England* for the Time being, or to any his Vice-Admirals, Judge or Judges of the Admiralty, his or their Deputy or Deputies, or to any other the Officers or Ministers of the Admiralty, or to any others having or claiming any Admiral Power, Jurisdiction or Authority within this Realm and *Wales*, or any other the Queen's Dominions, any other Power, Right, Jurisdiction, Preheminence or Authority, than he or they, or any of them, lawfully have, hath or had, or ought to have and enjoy, before the making of this Act, other than for such of the Offences specified in this Act, as hereafter shall be done upon the main Sea, within the Jurisdiction of the Admiralty; this Act, or any Article, Branch, Clause, Provision or Thing therein contained to the contrary thereof notwithstanding.

Continuance
of Act.

LI. This Act shall continue and endure until the End of Ten whole Years, to be accounted from the Feast of *St. Michael* the Archangel, which shall be in the Year of our Lord God One thousand five hundred sixty four, and from thence to the End
of

of the next Parliament then following the End of the said Ten Years.

[Continued, 39 *Eliz. c. 18.* § 8, 41. 1 *Jac. 1. c. 25.* § 6, 24. 21 *Jac. 1. c. 28.* § 1. 3 *Car. 1. c. 4.* § 10, 22. and 16 *Car. 1. c. 4.* § 2. *As to the Repeal of this Act, see 35 Eliz. c. 7.* § 21.]

C A P. VI.

An Act against such as shall sell any Ware for Apparel **EXP.**
without ready Money.

BE it enacted by Authority of this present Parliament, That whatsoever Person after the Feast of *Easter* next shall sell or by any Means deliver to any Person, having not in Possession Lands or Fees to the clear yearly Value of Three thousand Pounds, averrable and triable by Books of Subsidies, or by any other sufficient true Way or Means, any Manner of foreign Stuff or Wares, not grown or first wrought in any the Queen's Majesty's Dominions, of what Kind, Nature, Name or Condition soever the same be, appertaining or tending to the apparelling, clothing, decking, garnishing or adorning of the Body, or the Part of the Body of any Manner of Person, for all the which Stuff or Wares, or for the Workmanship thereof, or any Part thereof, the Seller, Deliverer or Worker, their Executors or Administrators, shall not have received the whole Money or full Satisfaction, either in Hand, or within xxviii. Days after the Sale, Delivery or Making thereof; that in every such Case, the Seller, Deliverer, Worker or Maker, their Executors and Administrators, shall be without all Remedy by Order of any Law, Custom or Decree, to recover or demand any Money or Recompence for the said Stuff or Wares, or for the Workmanship of any Part thereof, what Assurance soever he or they shall have, by Bond, Surety, Promise or Pawn of the Party, or of any other on his or their Behalf to the contrary. And that all Bonds and Assurance whatsoever made in that Case and for that Purpose, by any Means of Ways, directly or indirectly, shall be utterly void to all Intents. And this Act shall endure only to the End of the next Parliament,

Continuance of
Act.

C A P. VII.

An Act avoiding divers foreign Wares made by Handicraftsmen beyond the Seas.

WHEREAS heretofore the Artificers of this Realm of *England*, (as well within the City of *London* as within other Cities, Towns and Boroughs of the same Realm), that is to wit, Girdlers, Cutlers, Sadlers, Glovers, Point-makers, and such like Handicraftsmen, have been in their said Faculties greatly wrought, and greatly set on Work, as well for Sustentation of themselves, their Wives and Families, as for a good Education of a great Part of the Youth of this Realm in good Art and laudable Exercise, besides the manifold Benefits, that by Means or by Reason of their Knowledge, Inventions and continual Travel, daily and universally came to the whole Estate of the Commonwealth of the said Realm.

II. Yet notwithstanding so now it is, that by Reason of the Abundance of foreign Wares brought into this Realm from the Parts

‘ Parts of beyond the Seas, the said Artificers are not only less occupied, and thereby utterly impoverished, the Youth not trained in the said Sciences and Exercises, and thereby the said Faculties, and the exquisite Knowledges thereof, like in short Time within this Realm to decay; but also divers Cities and Towns within this Realm of *England* much thereby impaired, the whole Realm greatly endamaged, and other Countries notably enriched, and the People thereof well set on work, to their Commodities and Livings, in the Arts and Sciences aforesaid, and to the great Discouragement of skilful Workmen of this Realm, being in very Deed nothing inferior to any Stranger in the Faculties aforesaid.’

None shall bring into this Realm the Wares within mentioned ready wrought.

Penalty.

Continuance of Act.

III. For Reformation whereof, be it enacted by our Sovereign Lady the Queen's Highness, and by the Lords Spiritual and Temporal, and the Commons, of this present Parliament assembled, and by the Authority of the same, That no Person or Persons whatsoever, from or after the Feast of the Nativity of *St. John Baptist* now next ensuing, shall bring or cause to be brought into this Realm of *England* from the Parts of beyond the Seas, any Girdles, Harness for Girdles, Rapiers, Daggers, Knives, Hilts, Pummels, Locketts, Chapes, Dagger-blades, Handles, Scabbards, and Sheaths for Knives, Saddles, Horse-harness, Stirrups, Bits, Glöves, Points, Leather-laces or Pins, being ready made or wrought in any Parts of beyond the Seas, to be sold, bartered or exchanged within this Realm of *England* or *Wales*; upon Pain to forfeit all such Wares so to be brought contrary to the true meaning of this Act, in whose Hands soever they or any of them shall be found, or the very Value thereof; the One Half of the Forfeiture to be to our Sovereign Lady the Queen's Highness, her Heirs and Successors, and the other Moiety thereof to him or them that will seize the same, or sue therefor in any Court of Record of the Queen's Majesty, her Heirs and Successors, by Action of Debt, Bill, Complaint, Information or otherwise, where no Wager of Law, Essoin or Protection, shall be to him or them allowed. This Act to continue and endure to the End of the next Parliament.

[Continued 1 Jac. 1. c. 25. § 6, 24. 3 Car. 1. c. 4. § 11, 24. and 16 Car. 1. c. 4.]

C A P. VIII.

An Act touching Tanners, Curriers, Shoemakers and other Artificers occupying the cutting of Leather.

[Repealed, 1 Jac. 1. c. 22. § 58. and c. 25. § 47. See Note to 2 & 3 E. 6. c. 9.]

C A P. IX.

An Act for the Punishment of such Persons as shall procure or commit any wilful Perjury.

32 H. 8. c. 9. § 3. ‘ WHERE in the Parliament holden at *Westminster*, in the Two and thirtieth Year of the Reign of the late King of famous Memory, King *Henry* the Eighth, amongst other Things, it was ordained, enacted and established, That no Person or Persons of what Estate, Degree or Condition soever he or they

‘ they were, should from thenceforth unlawfully suborn any Witnesses or Witnesſes, by Letters, Rewards, Promises, or by any other sinister Labour or Means, for to maintain any Matter or Cause, or to the Disturbance or Hindrance of Justice, or to the Procurement or Occasion of any Manner of Perjury, by false Verdict or otherwise, in any of the King’s Courts of Chancery, the Star Chamber, the *Whitehall*, or elsewhere within any of the King’s Dominions of *England* or *Wales*, or the Marches of the same, where any Person or Persons have or from thenceforth should have Authority by virtue of the King’s Commission, Patent or Writ, to hold Plea of Land, or to examine, hear or determine any Title of Lands, or any Matter or Witnesses concerning the Title, Right or Interest of any Lands, Tenements or Hereditaments, upon Pain of Forfeiture for every such Offence, Ten Pound, the one Moiety thereof to be to the King, and the other to the Party that would sue for the same, as by the same Estatute, amongst divers other Things, more plainly it doth appear :

‘ II. Sithence the making whereof, for that the said Penalty is so small towards the Offenders in that Behalf, the said Offence of Subornation, and sinister Procurement of false Witnesses, hath nevertheless greatly increased and augmented, and by Reason of the wilful Perjury committed by the same suborned Witnesses, divers and sundry of the Queen’s Majesty’s Subjects have sustained Dishonour and great Impoverishment, as well of their Lands and Tenements, as also of their Goods and Chattels :’

III. Be it therefore enacted by our Sovereign Lady the Queen, by the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That all and every such Person and Persons, which at any Time after the Tenth Day of *April* next coming shall unlawfully and corruptly procure any Witness or Witnesses by Letters, Rewards, Promises, or by any other sinister and unlawful Labour or Means whatsoever, to commit any wilful and corrupt Perjury, in any Matter or Cause whatsoever now depending, or which hereafter shall depend in Suit and Variance, by any Writ, Action, Bill, Complaint or Information, in any wise touching or concerning any Lands, Tenements or Hereditaments, or any Goods, Chattels, Debts or Damages, in any of the Courts before mentioned, or in any of the Queen’s Majesty’s Courts of Record, or in any Leet, View of Frankpledge or Law-day, antient demean Court, Hundred Court, Court Baron, or in the Court or Courts of the Stannery in the Counties of *Devon* and *Cornwall* ; or shall likewise unlawfully and corruptly procure or suborn any Witness or Witnesses, which shall from and after the said Tenth Day of *April* be sworn to testify in *perpetuam rei memoriam* ; that then every such Offender or Offenders shall for his, her or their said Offence, being thereof lawfully convicted or attainted, lose and forfeit the Sum of Forty Pounds. Procuring of wilful Perjury.

[See further, 2 G. 2. c. 25. § 2.]

IV. And if it happen any such Offender or Offenders, so being convicted or attainted as aforesaid, not to have any Goods or Chattels, Lands or Tenements, to the Value of Forty Pounds, that then every such Person so being convicted or attainted of any the Offences aforesaid, shall for his or their said Offence suffer Imprisonment by the Space of One Half Year, without Bail

Pillory.

or Mainprize, and to stand upon the Pillory the Space of One whole Hour, in some Market Town next adjoining to the Place where the Offence was committed, in open Market there, or in the Market Town itself where the Offence was committed.

Not to be a Witness.

V. And that no Person or Persons being so convicted or attainted, to be from thenceforth received as a Witness to be deposed and sworn in any Court of Record within any of the Queen's Highness Dominions of *England, Wales*, or the Marches of the same, until such Time as the Judgment given against the said Person or Persons shall be reversed by attainr or otherwise; and that upon every such Reversal, the Parties grieved to recover his or their Damages against all and every such Person and Persons as did procure the said Judgment so reversed to be first given against them or any of them, by Action or Actions to be sued upon his or their Case or Cases, according to the Course of the Common Laws of this Realm.

Damages.

Perjury.

VI. And be it further enacted by the Authority aforesaid, That if any Person or Persons after the said Tenth Day of *April* next coming, either by the Subornation, unlawful Procurement, sinister Persuasion or Means of any others, or by their own Act, Consent or Agreement, wilfully and corruptly commit any Manner of wilful Perjury, by his or their Deposition in any of the Courts before mentioned, or being examined *ad perpetuam rei memoriam*, that then every Person or Persons so offending, and being thereof duly convicted or attainted by the Laws of this Realm, shall for his or their said Offence lose and forfeit Twenty Pounds, and to have Imprisonment by the Space of Six Months without Bail or Mainprize; and the Oath of such Person or Persons so offending, from thenceforth not to be received in any Court of Record within this Realm of *England or Wales*, or the Marches of the same, until such Time as the Judgment given against the said Person or Persons shall be reversed by Attainr or otherwise: And that upon every such Reversal the Parties grieved to recover his or their Damages against all and every such Person and Persons as did procure the said Judgment so reversed to be given against them or any of them, by Action or Actions to be sued upon his or their Case or Cases, according to the Course of the Common Laws of this Realm.

Penalty and Punishment.

Damages.

Pillory.

Disabled from being a Witness.

Who shall have the Forfeitures.

VII. And if it happen the said Offender or Offenders so offending not to have any Goods or Chattels to the Value of Twenty Pounds, that then he or they to be set on the Pillory in some Market Place within the Shire, City or Borough, where the said Offence shall be committed, by the Sheriff or his Ministers, if it shall fortune to be without any City or Town Corporate; and if it happen to be within any such City or Town Corporate, then by the said Head Officer or Officers of such City or Town Corporate, or by his or their Ministers, and there to have both his Ears nailed, and from thenceforth to be discredited and disabled for ever to be sworn in any of the Courts of Record aforesaid, until such Time as the Judgment shall be reversed, and thereupon to recover his Damages in Manner and Form before mentioned:

VIII. The one Moiety of all which Sums of Money, Goods and Chattels, to be forfeited in Manner and Form aforesaid, to be to the Queen our Sovereign Lady, her Heirs and Successors, and the other Moiety to such Person or Persons as shall be grieved, hindered

hindered or molested by reason of any the Offence or Offences before mentioned, that will sue for the same by Action of Debt, Bill, Plaint, Information or otherwise, in any of the Queen's Majesty's Courts of Record, in the which no Wager of Law, Essoin, Protection or Injunction to be allowed.

IX. And be it also enacted by the Authority aforesaid, That as well the Judge and Judges of every such of the said Courts where any such Suit is or shall be, and whereupon any such Perjury is or shall happen to be committed, as also the Justices of Assizes and Gaol-delivery in their severall Circuits, and the Justices of the Peace in every County within this Realm or in *Wales*, at their Quarter-Sessions, both within the Liberties and without, shall have full Power and Authority by virtue hereof to enquire of all and every the Defaults and Offences perpetrated, committed or done contrary to this Act, by Inquisition, Presentment, Bill or Information before them exhibited, or otherwise lawfully to hear and determine the same, and thereupon to give Judgment, award Procefs and Execution of the same, according to the Courfe of the Laws of this Realm.

Who may determine Offences.

X. And be it further enacted by the Authority aforesaid, That the Justices of Assize of every Circuit within this Realm, and elsewhere within the Queen's Dominions, shall in every County within their Circuits, Twice in the Year, that is to say, in the Time of their Sittings, make open Proclamation of this Estatute or of the Effect thereof, to the Intent no Person or Persons shall be ignorant or miscognizant of the Penalties herein contained.

Act to be proclaimed at Assizes.

XI. Provided also, That this Act, nor any Thing therein contained, shall not extend to any Spiritual or Ecclesiastical Court or Courts within this Realm of *England* or *Wales*, or the Marches of the same; but that all and every such Offender or Offenders as shall offend in Form aforesaid, shall and may be punished by such usual and ordinary Laws, as heretofore hath been and yet is used and frequented in the said Ecclesiastical Courts; any Thing in this present Act contained to the contrary in any wise notwithstanding.

Proviso for Courts Ecclesiastical.

XII. Provided also, and be it further enacted by the Authority aforesaid, That if any Person or Persons, upon whom any Procefs out of any of the Courts of Record within this Realm or *Wales* shall be served to testify or depose concerning any Cause or Matter depending in any of the same Courts, and having tendered unto him or them, according to his or their Countenance or Calling, such reasonable Sums of Money for his or their Costs and Charges, as, having Regard to the Distance of the Places, is necessary to be allowed in that Behalf, do not appear according to the Tenor of the said Procefs, having not a lawful and reasonable Let or Impediment to the contrary; that then the Party making Default, to lose and forfeit for every such Offence Ten Pounds, and to yield such further Recompence to the Party grieved, as by the Discretion of the Judge of the Court, out of the which the said Procefs shall be awarded, according to the Loss and Hindrance that the Party which procured the said Procefs shall sustain, by reason of the Non-appearance of the said Witness or Witnesses; the said severall Sums to be recovered by the Party so grieved against the Offender or Offenders, by Action of Debt, Bill, Plaint or Information, in any of the Queen's Majesty's Courts of Record,

Procefs served upon Witnesses to testify.

Penalty.

cord, in which no Wager of Law, Effoin or Protection to be allowed.

Proviso for Authority to punish Perjury by
21 H. 7. c. 25.

XIII. Provided always, That this Act, or any Thing therein contained, shall not extend in any wise to restrain the Power and Authority given by Act of Parliament made in the Time of King Henry the Seventh, to the Lord Chancellor of *England*, and others of the King's Council for the Time being, to examine and punish Riots, Routs, heinous Perjuries and other Offences and Misdemeanings; which Lord Chancellor and others thence the Making of the said Act have most commonly used to hear and determine such Matters in the Court of *Westminster* commonly called the Star Chamber (a); nor to restrain the Power or Authority of the Lord President and Council in the Marches of *Wales*, or of the Lord President and Council in the North, nor of any other Judge, having absolute Power to punish Perjury before the making of this Statute; but that they and every of them shall and may proceed in the Punishment of all Offences heretofore punishable, in such wise as they might have done and used to do before the making of this Act, to all Purposes, so that they set not upon the Offender or Offenders less Punishment than is contained in this Act. This Act to continue unto the End of the next Parliament.

Continuance of Act.

(a) [*Abolished*, 16 Car. 1. c. 10. § 3.]

[*Made perpetual*, 29 Eliz. c. 5. § 2. and 21 Jac. 1. c. 28. § 8.]

C A P. X.

An Act to revive a Statute made Anno 21 H. 8. touching Servants imbezilling their Masters Goods.

21 H. 8. c. 7.

§ 1.

‘ WHERE in the Parliament holden at *London* the Third Day of *November* in the One and Twentieth Year of the Reign of the late King of most famous and worthy Memory King Henry the Eighth, and from thence adjourned to *Westminster*, and there holden and continued by divers Prorogations unto the Dissolution thereof, it was ordained and enacted among other Things, That all and singular Servants to whom any Caskets, Jewels, Money, Goods or Chattels, by his or their Master or Masters should from thenceforth be delivered to keep, that if any such Servant or Servants withdraw him or them from their said Masters or Mistresses, and go away with the said Caskets, Jewels, Money, Goods or Chattels, or any Part thereof, to the Intent to steal the same, and defraud his or their said Masters or Mistresses thereof, contrary to the Trust and Confidence to him or them put by his or their Masters or Mistresses; or else being in Service of his said Masters or Mistresses, without the Assent or Commandment of his Masters or Mistresses, imbezil the same Caskets, Jewels, Money, Goods or Chattels, or any Part thereof, or otherwise convert the same to his own Use, with like Purpose to steal it, that if the said Caskets, Jewels, Money, Goods or Chattels that any such Servant shall go away with, or which he shall imbezil with Purpose to steal it as is aforesaid, be of the Value of Forty Shillings or above; that then the same false, fraudulent and untrue Act and Demeanor, should from thenceforth be deemed and adjudged Felony, and that he or they so offending, should be punished as other Felons for Felony

‘ Felony committed, by the Courfe of the Common Law, as by
 ‘ the faid A&T, amongst other Things therein contained, more at
 ‘ large it doth and may appear :

‘ II. Which faid A&T in the Parliament begun and holden at 1 M. Seff. 1. c. 1.
 ‘ *Westminster* the Fifth Day of *October* in the First Year of the
 ‘ Reign of the late Queen *Mary*, and there continued to the One
 ‘ and Twentieth Day of the same Month, that is to say, in the
 ‘ First Session of the same Parliament, by the general Words of
 ‘ one A&T then and there made, intituled, *An A&T repealing certain*
 ‘ *Treasons, Felonies and Præmunire*, was from thenceforth utterly
 ‘ repealed and made void.

‘ III. And forasmuch as sithence the Repeal of the same, the 21 H. 8. c. 7.
 ‘ faid A&T is thought necessary for the Commonwealth of this
 ‘ Realm; Be it therefore enacted by our Sovereign Lady the
 ‘ Queen’s Majesty, with the Assent of the Lords Spiritual and
 ‘ Temporal, and the Commons, in this present Parliament assembled,
 ‘ and by the Authority of the same, That the faid A&T made in the
 ‘ One and Twentieth Year, and every Clause, Article, Branch, Sen-
 ‘ tence and Provision therein contained, be from henceforth revived,
 ‘ and put in due Execution, according to the Intent and Meaning
 ‘ thereof, and from thenceforth shall stand good, endure and con-
 ‘ tinue for ever. made perpetual

C A P. XI.

An A&T against Clipping, Washing, Rounding or Filing of Coins.

‘ **W**HEREAS the Offences of Clipping, Rounding, Wash-
 ‘ ing and Filing of Monies or Coins of this Realm, was
 ‘ declared by an A&T of Parliament in the Time of King *Henry* 3 H. 5. Stat. 2.
c. 6.
 ‘ the Fifth to be Treason to the King and the Realm, and accord-
 ‘ ing to the faid A&T, the same Offences were and did continue
 ‘ Treason until the First Year of the Reign of Queen *Mary*, at
 ‘ which Time the Pains and Penalties due for the faid Offences
 ‘ were abrogated and taken away by the general A&T of Repeal
 ‘ then made; by Reason whereof, divers false and evil-disposed 1 M. Seff. 1. c. 1.
 ‘ Persons, perceiving themselves to be loose and free from the
 ‘ Severity and Danger of the faid Law and Penalty, have been of
 ‘ late more hardy and bold to attempt and practise, for wicked
 ‘ Lucre and Gain’s Sake, to diminish, impair and falsify the Monies
 ‘ and Coins current within this Realm, and the Dominions of the
 ‘ same, by such Clipping, Washing, Rounding and Filing thereof,
 ‘ not only to the great Dishonour of the Queen’s Majesty our
 ‘ Sovereign Lady that now is, by whose great Goodness the new
 ‘ Monies or Coins of the same are now reduced to as much Fineness
 ‘ as ever hath been in any Time of her noble Progenitors, but
 ‘ also to the great Loss and Damage of the good Subjects of this
 ‘ Realm, and more is like to be hereafter, if the same be not
 ‘ speedily met withal :

‘ II. For Remedy whereof, be it enacted, declared and esta-
 ‘ blished by the Authority of this present Parliament, That from
 ‘ and after the First Day of *May* next coming, Clipping, Washing,
 ‘ Rounding or Filing for wicked Lucre or Gain’s Sake, of any the
 ‘ proper Monies or Coins of this Realm or the Dominions thereof,
 ‘ Clipping, &c. of
current Money.

Treason.

or of the Monies or Coins of any other Realm allowed and suffered to be current within this Realm or the Dominions thereof, at this present, or that hereafter at any Time shall be the lawful Monies or Coins of this Realm, or of the Dominions thereof, or of any other Realm, and by Proclamation allowed and suffered to be current here by the Queen's Majesty, her Heirs and Successors, shall be taken, deemed and adjudged by virtue of this Act to be Treason; and the Offenders therein, their Counsellors, Consenters and Aiders, shall be, from and after the same First Day of May, taken, deemed and adjudged as Offenders in Treason, and being thereof lawfully convicted or attainted according to the Order and Course of the Laws of this Realm, shall suffer Pains of Death, and lose and forfeit all his and their Goods and Chattels; and also shall lose and forfeit all his and their Lands and Tenements, during his and their natural Life or Lives only. [Enforced, 18 Eliz. c. 1. § 1. and see further, 6 & 7 W. 3. c. 17. § 9.]

Forfeitures of
Lands or Goods
by Grant, shall
be enjoyed.

III. And be it further enacted by the Authority aforesaid, That all and every Person and Persons which have any lawful Grant to have and enjoy the Forfeiture of Lands, Tenements, Goods or Chattels of Offenders and Men attainted in High Treason, within any Manor, Lordship, Town, Parish, Hundred or other Precinct within this Realm of *England* or *Wales*, shall and may at all Times hereafter have like Liberty to take, seize and enjoy all such Forfeitures of Lands, Tenements, Goods and Chattels, as shall come or grow within their Liberties, by force of the Attainder of any Person or Persons, for and upon any Offence or Offences made Treason by this Act, as they or any of them should, ought or might have, by virtue of any good and lawful Grant to them or any of them heretofore had or made.

Proviso for Cor-
ruption of Blood,
&c.

IV. Provided always, and be it enacted by the Authority aforesaid, That this Act, nor any Thing therein contained, nor any Attainder or Attainders of any Person or Persons for any Offence or Offences made Treason by this Act, shall in any wise extend or be judged, interpreted or expounded, to make any Corruption of Blood, to any the Heir or Heirs of any such Offender or Offenders, or to make the Wife of any such Offender to lose or forfeit her Dower of or in any Lands, Tenements or Hereditaments, or her Title, Action or Interest in the same; any Thing in this Act contained, or any Attainder or Attainders hereafter to be had for any Offence or Offences made Treason by this Act, to the contrary notwithstanding.

Dower.

Peers.

V. And be it further enacted by the Authority aforesaid, That if any of the Lords of the Parliament, or Peer of this Realm for the Time being, shall fortune at any Time hereafter to be indicted of any Offence made Treason by this Act, that then they and every of them shall have his or their Trial by their Peers, as hath been used heretofore in Cases of High Treason.

C A P. XII.

An Act touching Badgers of Corn, and Drovers of Cattle to be licensed.

[Repealed, 12 G. 3. c. 71. § 1]

C A P. XIII.

An Act for the continuing of a Statute made Anno 2^o & 3^o Ph. 2 & 3 P. & M.
& Maria for the amending of Highways. c. 8.

[Repealed, 7 G. 3. c. 42. § 57.]

C A P. XIV.

An Act against the forging of Evidences and Writings.

FORASMUCH as the wicked, pernicious and dangerous Practice of making, forging and publishing false and untrue Charters, Evidences, Deeds and Writings, hath of late Time been very much more practised, used and put in Ure in all Parts of this Realm, than in Times passed, not only to the high Displeasure of God, but also to the great Injury, Wrong, Hurt, Damage, Disherison and utter undoing of divers the Queen's Majesty's Subjects of this Realm, and to the great Subversion of Justice and Truth, which seemeth to have grown and happened chiefly by reason that the Pains and Punishments limited for such great and notable Offences, by the Laws and Statutes of this Realm, before this Time have been and yet are so small, mild and easy, that such evil People have not been nor yet are afraid to enterprise the practising and doing of such Offences:

II. Be it therefore enacted by the Queen's most excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons whatsoever, after the First Day of June now next coming, upon his or their own Head and Imagination, or by false Conspiracy and Fraud with others, shall wittingly, subtilly and falsly forge or make, or subtilly cause or wittingly assent to be forged or made, any false Deed, Charter or Writing sealed, Court Roll, or the Will of any Person or Persons in Writing, to the Intent that the State of Freehold or Inheritance of any Person or Persons, of, in or to any Lands, Tenements or Hereditaments, Freehold or Copyhold, or the Right, Title or Interest of any Person or Persons, of, in or to the same, or any of them, shall or may be molested, troubled, defeated, recovered or charged; or after the said First Day of June shall pronounce, publish or shew forth in Evidence, any such false and forged Deed, Charter, Writing, Court Roll or Will, as true, knowing the same to be false and forged, as is aforesaid, to the Intent above remembred, and shall be thereof convicted, either upon Action or Actions of Forger of false Deeds, to be founded upon this Statute, at the Suit of the Party grieved, or otherwise according to the Order and due Course of the Laws of this Realm, or upon Bill or Information to be exhibited into the Court of the Star Chamber, according to the Order and Use of that Court, shall pay unto the Party grieved his double Costs and Damages, to be found or assessed in that Court where such Conviction shall be, and also shall be set upon the Pillory in some open Market Town, or other open Place, and there to have both his Ears cut off, and also his Nostrils to be slit and cut, and seared with a hot Iron, so as they may remain for a perpetual Note or Mark of his Falshood, and shall forfeit to the

Forging Deed,
&c.

Double Costs
and Damages:

Punishment.

Queen our Sovereign Lady, her Heirs and Successors, the whole Issues and Profits of his Lands and Tenements during his Life, and also shall suffer and have perpetual Imprisonment during his Life; the said Damages and Costs to be recovered at the Suit of the Party grieved as is aforesaid, to be first paid and levied of the Goods and Chattels of the Offender, and of the Issues and Profits of the said Lands, Tenements and Hereditaments of such Party convicted, or of one or both of them; the said Title of our said Sovereign Lady the Queen, her Heirs or Successors, to the same notwithstanding.

[*Forgery made Felony without Benefit of Clergy, 2 G. 2. c. 25. § 1. which is made perpetual 9 G. 2. c. 18. § 1.*]

Forging of a
Deed, whereby
a Lease, &c. may
be claimed.

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons after the said First Day of June, upon his or their own Head or Imagination, or by false Conspiracy or Fraud had with any other, shall wittingly, subtilly and falsly forge or make, or wittingly, subtilly and falsly cause or assent to be made and forged, any false Charter, Deed or Writing, to the Intent that any Person or Persons shall or may have or claim any Estate or Interest for Term of Years, of, in or to any Manors, Lands, Tenements or Hereditaments, not being Copyhold, or any Annuity in Fee-simple, Fee-tail or for Term of Life, Lives or Years; or after the said Day shall, as is aforesaid, forge, make or cause or assent to be made or forged, any Obligation or Bill obligatory, or any Acquittance, Release or other Discharge of any Debt, Accompt, Action, Suit, Demand or other Things personal; or if any Person or Persons after the said First Day of June shall pronounce, publish or give in Evidence, any such false and forged Charter, Deed, Writing, Obligation, Bill obligatory, Acquittance, Release or Discharge, as true, knowing the same to be false and forged, and shall be thereof convicted by any the Ways and Means aforesaid, that then he shall pay unto the Party grieved his double Costs and Damages, to be found and assessed in such Court where the said Conviction shall be had, and shall be also set upon the Pillory in some open Market Town or other open Place, and there to have one of his Ears cut off, and shall also have and suffer Imprisonment by the Space of one whole Year, without Bail or Mainprize.

Forging of an
Obligation, &c.

Double Costs
and Damages.

Punishment.

Remedies.

IV. And be it further enacted by the Authority aforesaid, That the Party and Parties grieved by reason of any the Offences aforesaid, shall and may, at his and their Pleasure, have and sue his Action of Forger of false Deeds upon this Statute, against any the Offenders in the same, by original Writ out of the Queen's Highness Court of Chancery, and shall and may have like Process upon the same, as in Cases of Trespas at the Common Law; or may at his Pleasure take his Suit against any such Offenders in any the Premises, by Bill before the Queen's Highness, her Heirs and Successors, in her Court commonly called the King's Bench, or in the Court of the Exchequer; in which Suits no Effoign, Injunction or Protection shall be allowed for the Party Defendant.

One Punishment
only.

V. And be it further enacted by the Authority aforesaid, That if the Party Defendant shall be convicted for any the Offences aforesaid, according to the Order and Form above limited, and shall have received thereupon Punishment Corporal according to this Act, that then he shall not eschoons be impeached for the same Offence.

VI. And

VI. And be it further enacted by the Authority aforesaid, That although the Party or Parties Plaintiff in any such Action or Bill to be sued, as is aforesaid, shall after Verdict passed against the Defendant or Defendants, happen to release or discharge the Judgment or Execution upon the same, or otherwise suffer the same to be discontinued; that yet nevertheless the same Release, Discharge or Discontinuance, shall extend only to discharge such Costs and Damages as the same Plaintiff should have had against the Defendant; and that the Judges before whom the said Action or Suit shall be taken, shall and may proceed to Judgment of and upon the Residue of the said Penalties and Forfeitures, and to command Execution upon the same; the said Release, Discontinuance, or other Discharge had, made, done or suffered by the Party Plaintiff, in any wise notwithstanding; this Act or any Thing therein contained to the contrary in any wise notwithstanding.

Plaintiff's Release shall discharge only his own Remedy.

VII. And be it further enacted by the Authority aforesaid, That if any Person or Persons, being hereafter convicted or condemned of any the Offences aforesaid, by any the Ways or Means above limited, shall after any such his or their Conviction or Condemnation afterwards commit or perpetrate any of the said Offences in Form aforesaid, that then every such second Offence or Offences shall be adjudged Felony; and the Parties being thereof convicted or attainted according to the Laws of this Realm, shall suffer such Pains of Death, Loss and Forfeiture of their Goods, Chattels, Lands and Tenements, as in Cases of Felony by the Common Laws of this Realm ought to be lost or forfeited, without having any Advantage or Benefit of Clergy or Sanctuary: Saving to every Person and Persons, Bodies Politic and Corporate, their Heirs and Successors, other than the said Offenders, and such as claim to their Uses, all such Rights, Titles, Interests, Possessions, Liberties of Distresses, Leases, Rents, Reversions, Offices and other Profits and Advantages, which they or any of them shall have at the Time of such Conviction or Attainder, of, in or to any of the Lands, Tenements or Hereditaments of any such Person so as is aforesaid convicted or attainted, or at any Time before, in as large and as ample Manner, to all Intents and Purposes, as if this Act had never been had ne made.

Second Offence, Felony.

General Saving.

VIII. Provided always, and be it enacted by the Authority aforesaid, That any such Conviction or Attainder of Felony, as is aforesaid, or any Forfeiture by reason of the same, shall not in any wise extend to take away the Dower of the Wife of any such Person attainted, nor to the Corruption of Blood, or Disheirison of any the Heir or Heirs of any such Person or Persons so attainted; this Act, or any Thing therein contained, or any other Statute, Law, Usage, Custom or Thing heretofore used to the contrary in any wise notwithstanding.

Not to work Corruption of Blood, &c.

IX. Provided also, and be it further enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not extend to charge any Ordinary, or any their Commissaries, Officials, Registers, or any other their Officers or Ministers, with any the Offences aforesaid, for putting their Seal of Office to any Will to be exhibited unto them, not knowing the same to be false or forged, or for writing of the said Will or Probate of the same;

Officials or Registrars putting a Seal to a Will.

same; this Act or any Thing therein contained to the contrary notwithstanding.

Who may determine Offences.

X. And be it further enacted, by the Authority aforesaid, That all and every Justices of *Oyer* and *Determiner*, and Justices of *Affise* in their Circuits and every of them, shall have full Power and Authority in every of their Open and General Sessions, to enquire, hear and determine of all and every the Offences aforesaid committed or done within the Limits of their Commission, and to make Process for the Execution of the same, as they may do against any Person being indicted before them of *Trespasse*, or lawfully convicted thereof.

Repeal of Statutes against Forgery.

XI. And be it further enacted, by the Authority aforesaid, That all other Statutes heretofore made and provided for Forgery of false Deeds, Charters, Muniments or Writings, and all and every Penalty appointed by the same, shall from and after the said First Day of *June* be void and of none Effect in the Law; any such Statute or Thing therein contained to the contrary in any wise notwithstanding.

To whom Act shall not extend.

XII. Provided always, That this Act, or any Thing therein contained, shall not extend or be hurtful in any wise to any Proctor, Advocate or Register of any Ecclesiastical Court within this Realm, for the writing, setting forth or pleading of any Proxy made according to the Ecclesiastical Laws or Customs heretofore used and allowed by the Ecclesiastical Courts of this Realm, for the Appearance of any Person or Persons, being cited to appear in any of the said Courts Ecclesiastical, nor to any Archdeacon or Official, for putting their authentic Seal to the said Proxy or Proxies, neither yet to any Judge Ecclesiastical for admitting of the same; but that they and every of them may hereafter do in all Points concerning the same, as they and every of them might lawfully have done before the making of this Act; any Thing in this Act to the contrary in any wise notwithstanding.

“ Forging of Deeds before 1st *June* 1562. § 13. EXP. The
“ Penalty for pleading or publishing a forged Deed made before
“ 1st *June* 1562. § 14. EXP.

Attorney, &c. pleading a forged Deed.

XV. Provided always, and be it enacted by the Authority aforesaid, That this Act, nor any Pain, Forfeiture or Thing therein contained, shall not extend to any Attorney, Lawyer or Counsellor that shall for his Client plead, shew forth or give in Evidence any false and forged Deed, Charter, Will, Court Roll or other Writing, for true or good, being not party or privy to the forging of the same, for the pleading, shewing forth or giving in Evidence of the same; any Thing in this Act to the contrary notwithstanding.

Pleading a Writing exemplified, or setting a Seal to the same.

XVI. Provided always, and be it enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not extend to any Person or Persons that shall plead or shew forth any Deed or Writing exemplified under the Great Seal of *England*, or under the Seal of any other authentic Court of this Realm; nor shall extend to any Judge or Justice, or other Person, that shall cause any Seal of any Court to be set to any such Deed, Charter or Writing inrolled, not knowing the same to be false or forged; any Thing in this Act to the contrary notwithstanding.

C A P. XV.

An Act against fond and fantastical Prophecies.

FORASMUCH as sithence the Expiration and Ending of the Statute made in the Time of King *Edward* the Sixth, intituled, *An Act against fond and fantastical Prophecies*, divers evil disposed Persons, inclined to the stirring and moving of Fa^ctions, Seditions and Rebellions within this Realm, have been the more bold to attempt the like Practices in feigning, imagining, inventing and publishing of such fond and fantastical Prophecies, as well concerning the Queen's Majesty, as divers honourable Personages, Gentlemen and others of this Realm, as was used and practised before the making of the said Statute, to the great Disquiet, Trouble and Peril of the Queen's Majesty, and of this her Realm :

II. For Remedy whereof, be it ordained and enacted by the Authority of this present Parliament, That if any Person and Persons after the First Day of May next coming do advicedly and directly advance, publish and set forth by Writing, Printing, Signing or any other open Speech or Deed, to any Person or Persons, any fond, fantastical or false Prophecy, upon or by the Occasion of any Arms, Fields, Beasts, Badges or such other like Things accustomed in Arms, Cognizances or Signets, or upon or by reason of any Time, Year or Day, Name, Bloodshed or War, to the Intent thereby to make any Rebellion, Infurrection, Dissention, Loss of Life, or other Disturbance within this Realm and other the Queen's Dominions; that then every such Person being thereof lawfully convicted according to the due Course of the Laws of this Realm, for every such Offence shall suffer Imprisonment of his Body by the Space of one Year, without Bail or Mainprize, and shall forfeit for every such Offence the Sum of Ten Pounds.

Publishing fantastical Prophecies upon Arms, &c.

First Offence.

Penalty.

III. And if any such Offender do after such Conviction
 oftfoons offend in any of the Premises, and be thereof lawfully
 convicted as is aforesaid, that then every such Offender shall for his
 Second Offence and Conviction as is aforesaid, suffer Imprisonment
 of his Body without Bail or Mainprize during his Life, and shall
 forfeit all his Goods and Chattels Reals and Personals: The
 Moieties of every which Forfeitures shall be to the Queen's High-
 nesses, her Heirs and Successors, and the other Moieties thereof to
 him that shall or will sue for the same, in any of the Queen's
 Courts of Record, by Action, Bill, Plaint or Information; in
 which Case no Effoin, Wager of Law or Protection shall be
 allowed or admitted.

IV. And be it further enacted, by the Authority aforesaid, That all and every Justice of Assize, Justice of Oyer and Determiner, and Justice of Peace, shall have full Power and Authority by virtue hereof, to enquire, hear and determine all and every Offence or Offences abovesaid, committed or done within the Limits of their Commission, contrary to the Tenor and Meaning of this Act.

V. Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons shall at any Time hereafter be impeached for any Offence hereafter to be committed or done contrary to this Act, unless he be thereof impeached or accused within Six Months next ensuing any such Offence by him or them committed or done.

C A P. XVI.

An Act against Conjurations, Enchantments and Witchcrafts.

‘ **W**HERE at this present there is no ordinary ne condign Punishment provided against the Practices of the wicked Offences of Conjurations and Invocations of evil Spirits, and of Sorceries, Enchantments, Charms and Witchcrafts, the which Offences, by force of a Statute made in the xxxiii. Year of the Reign of the late King *Henry* the Eighth, were made to be Felony, and so continued until the said Statute was repealed by the Act and Statute of Repeal made in the First Year of the Reign of the late King *Edward* the Sixth: Sithens the Repeal whereof, many fantastical and devilish Persons have devised and practised Invocations and Conjurations of evil and wicked Spirits, and have used and practised Witchcrafts, Enchantments, Charms and Sorceries, to the Destruction of the Persons and Goods of their Neighbours, and other Subjects of this Realm, and for lewd Intent and Purposes, contrary to the Laws of Almighty God, to the Peril of their own Souls, and to the great Infamy and Disquietness of this Realm:’ For Reformation whereof, be it enacted by the Queen’s Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons, after the First Day of *June* next coming, use, practise or exercise any Invocations or Conjurations of evil and wicked Spirits, to or for any Intent or Purpose, or else if any Person or Persons, after the said First Day of *June*, shall use, practise or exercise any Witchcraft, Enchantment, Charm or Sorcery, whereby any Person shall happen to be killed or destroyed; that then as well every such Offender or Offenders in Invocations or Conjurations, as is aforesaid, their Aiders and Counsellors, as also every such Offender or Offenders in Witchcraft, Enchantment, Charm or Sorcery, whereby the Death of any Person doth ensue, their Aiders and Counsellors, being of either of the said Offences lawfully convicted and attainted, shall suffer Pains of Death, as a Felon or Felons, and shall lose the Privilege and Benefit of Clergy and Sanctuary: Saving to the Wife of such Person her Title of Dower, and also to the Heir and Successor of such Person his or their Titles of Inheritance, Succession and other Rights, as though no such Attainder of the Ancestor or Predecessor had been had or made.

II. And further, be it enacted by the Authority aforesaid, That if any Person or Persons, after the said First Day of *June* next coming, shall use, practise or exercise any Witchcraft, Enchantment, Charm or Sorcery, whereby any Person shall happen to be wasted, consumed or lamed on his or her Body or Member, or whereby any Goods or Chattels of any Person shall be destroyed, wasted or impaired; then every such Offender or Offenders, their Counsellors and Aiders, being thereof lawfully convicted, shall for his or their First Offence or Offences suffer Imprisonment by the Space of One whole Year, without Bail or Mainprize, and once in every Quarter of the said Year shall in some Market Town, upon the Market Day, or at such Time as any Fair shall be kept, there stand openly upon the Pillory, by the Space of Six Hours, and there shall openly confess his or her Error and Offence; and for

33 H. 8. c. 8.

1 E. 6. c. 12.

Using Invocations, &c.

whereby Persons destroyed.

Death.

Dower.

Using Charms, &c.

First Offence.

for the Second Offence, being as is aforesaid lawfully convicted or attainted, shall suffer Death as a Felon, and shall lose the Privilege of Clergy and Sanctuary: Saving to the Wife of such Person her Title of Dower, and also to the Heir and Successor of such Person his or their Titles of Inheritance, Succession and other Rights, as though no such Attainder of the Ancestor or Predecessor had been had or made.

Second Offence.
Death.

Dower, &c. saved.

III. Provided always, That if the Offender in any of the Cases aforesaid, for which the Pains of Death shall ensue, shall happen to be a Peer of the Realm, then his Trial therein to be had by his Peers, as it is used in cases of Felony or Treason, and not otherwise.

Peers.

IV. And further, to the Intent that all Manner of Practice, Use or Exercise of Witchcraft, Enchantment, Charm or Sorcery, should be from henceforth utterly avoided, abolished and taken away, Be it enacted by the Authority of this present Parliament, That if any Person or Persons shall from and after the said First Day of *June* next coming, take upon him or them, by Witchcraft, Enchantment, Charm or Sorcery, to tell or declare in what Place any Treasure of Gold or Silver should or might be found or had in the Earth, or other secret Places, or where Goods or Things lost or stolen should be found or become, or shall use or practise any Sorcery, Enchantment, Charm or Witchcraft, to the Intent to provoke any Person to unlawful Love, or to hurt or destroy any Person in his or her Body, Member or Goods; that then every such Person or Persons so offending, and being thereof lawfully convicted, shall for the said Offence suffer Imprisonment by the Space of one whole Year, without Bail or Mainprize, and once in every Quarter of the said Year shall in some Market Town, upon the Market Day, or at such Time as any Fair shall be kept there, stand openly upon the Pillory by the Space of Six Hours, and there shall openly confess his or her Error and Offence; and if any Person or Persons, being once convicted of the same Offences as is aforesaid, do afterwards perpetrate and commit the like Offence, that then every such Offender, being thereof the Second Time convicted as is aforesaid, shall forfeit unto the Queen's Majesty, her Heirs and Successors, all his Goods and Chattels, and suffer Imprisonment during Life.

Declaring by
Witchcraft, &c.
where Gold, &c.
may be found.

Punishment.

Second Offence.

Punishment.

C A P. XVII.

An Act for the Punishment of the Vice of Sodomy.

WHERE in the Parliament begun at *London* the Third Day of *November*, in the One and twentieth Year of the late King of most famous Memory, King *Henry* the Eighth, and after by Prerogation holden at *Westminster* in the Five and Twentieth Year of the Reign of the said late King, there was one Act and Statute made, intituled, *An Act for the Punishment of the Vice of Buggery*, whereby the said detestable Vice was made Felony, as in the said Estatute more at large it doth and may appear; forasmuch as the said Statute concerning the Punishment of the said Crime and Offence of Buggery standeth at this present repealed and void by virtue of the Statute of Repeal made in the First Year of the Reign of the late Queen *Mary*, thence which Repeal so had and made, divers evil

25 H. 8. c. 6.

disposed Persons have been the more bold to commit the said most horrible and detestable Vice of Buggery aforesaid, to the high Displeasure of Almighty God :

II. Be it enacted, ordained and established by the Queen our Sovereign Lady, and by the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Statute before mentioned made in the Five and twentieth Year of the said late King *Henry* the Eighth, for the Punishment of the said detestable Vice of Buggery, and every Branch, Clause, Article and Sentence therein contained, shall from and after the First Day of *June* next coming be revived, and from thenceforth shall stand, remain and be in full Force, Strength and Effect for ever, in such Manner, Form and Condition as the same Statute was at the Day of the Death of the said late King *Henry* the Eighth; the said Statute of Repeal made in the said First Year of the said late Queen *Mary*, or any Words general or special therein contained, or any other Act or Acts, Thing or Things to the contrary notwithstanding.

Made perpetual.

1 M. Sess. 1. c. 1.

C A P. XVIII.

An Act declaring the Authority of the Lord Keeper of the Great Seal of *England*, and the Lord Chancellor to be one.

WHERE some Question hath of late risen, whether like Place, Authority, Preheminence, Jurisdiction and Power doth belong, and of Right ought to belong, to the Office of the Lord Keeper of the Great Seal of *England* for the Time being, as of Right doth and ought to belong to the Office of the Lord Chancellor of *England* for the Time being, or not :

The Authority of the Lord Keeper of the Great Seal, and the Lord Chancellor, is all one.

II. For Declaration whereof, and in avoiding such Question hereafter, Be it enacted and declared by the Queen our Sovereign Lady, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the Common Law of this Realm is, and always was, and ought to be taken, that the Keeper of the Great Seal of *England* for the Time being hath always had, used and executed, and of Right ought to have, use and execute, and from henceforth may have, perceive, take, use and execute, as of Right belonging to the Office of the Keeper of the Great Seal of *England* for the Time being, the same and like Place, Authority, Preheminence, Jurisdiction, Execution of Laws, and all other Customs, Commodities and Advantages, as the Lord Chancellor of *England* for the Time being lawfully used, had and ought to have, use and execute, as of Right belonging to the Office of the Lord Chancellor of *England* for the Time being, to all Intents, Constructions and Purposes, and as if the same Keeper of the Great Seal for the Time being were Lord Chancellor of *England*.

C A P. XIX.

2 Edw. 6. c. 5.

An Act for the Repeal of a Branch of a Statute made Anno 1 *Edw.* 6. touching the conveying of Horses and Geldings out of the Realm.

[Virtually repealed, 22 Car. 2. c. 13. § 8.]

C A P.

C A P. XX.

An Act for the Punishment of Vagabonds, calling themselves *Egyptians*.

[*Repealed, 23 G. 3. c. 51.*]

C A P. XXI.

An Act for the Punishment of unlawful taking of Fish, Deer or Hawks.

WHERE as well the Queen's Majesty, and her most noble Progenitors, as also the Noblemen, Gentlemen, and divers other Persons of great Dominions, Lordships, Manors and Possessions within this Realm, have of ancient and long Time had, and many of them now of late, to their great Costs and Charges, for the necessary and better Provision and Maintenance of their Households, have erected and made in and upon their several Demeans, Grounds and Possessions, as well Pools, Stagnes, Stews, Motes, Pits or Ponds, for the only Increase of Fish, and have stored the same with Pickerel, Breme, Tench, Carp and divers other good Kinds of Fish, for the necessary Increase of Victuals, and for the better Maintenance and Provision of their Houses as is aforesaid; and also have imparked, invironed and inclosed many Parcels of their said Demeans, Soils, Grounds and Possessions, for the Breeding, Cherishing and Increase, as well of Red as Fallow Deer within their several Parks and Inclosures, for the Causes afore declared; and also have Breeding within their Woods and Grounds, divers Eyries of Hawks of sundry Kinds, to their great Pleasure and Commodity; yet nevertheless, the said several Waters, Grounds, Parks and Inclosures, so being had, erected and made, and also being so stored and replenished, have been from Time to Time by evil disposed Persons, of a very evil, wilful and insolent Disposition, and of Malice and Displeasure, not only by Night Time broken, and entered into, but also the Heads or Dams of the said Ponds, Pools, Stagnes, Motes, Stews or several Waters, have been maliciously, wilfully and unlawfully cut out, and the Pales, Fences and Inclosures of the said Parks and Grounds broken, cast down and set open, and the Fish, Deer and Hawks within the same, taken, destroyed, carried away and stolen, not only to the great Loss and Damage of the Owners thereof, and to the small Encouragement of other good Subjects, minding the careful Provision of such necessary Victuals, but also to the manifest emboldening of many like wilful Malefactors and malicious Offenders, whereby many Riots, Manslaughters, Mischiefs and other Inconveniencies have been daily perpetrated, and are like to be committed and done, if circumstance Remedy be not hereunto provided:'

II. Be it therefore enacted by the Queen's Majesty, the Lords Spiritual and Temporal, and the Commons, of this present Parliament assembled, and by the Authority of the same, That if any Person or Persons after the Feast of *Pentecost* next coming, shall at any Time by Day or by Night, unlawfully without Authority, break, cut down, cut out or destroy, any Head or Heads, Dam or Dams of any Ponds, Pools, Motes, Stagnes, Stews or several

Unlawfully
breaking Heads
of Ponds, Fish-
ing, &c.

several Pits wherein Fish are or shall happen to be put in or stored withal, by the Owners or Possessioners thereof, or do or shall wrongfully fish in any of the said several Ponds, Pools, Motes, Stagunes, Stews or Pits, to the Intent to destroy, kill, take or steal away any of the same Fish, against the Will, Mind or Pleasure of the Owners or Possessioners of the same, not having any lawful Title or Authority so to do, and thereof be lawfully convicted at the Suit of our Sovereign Lady the Queen, her Heirs or Successors, or the Party grieved, shall suffer Imprisonment of his or their Bodies by the Space of Three Months, and shall yield and pay to the Party grieved his Treble Damages, and after the said Three Months expired shall find sufficient Sureties for his or their good Abearing against the Queen our Sovereign Lady, her Heirs and Successors, and all her Liege People, for the Space of Seven Years after, or else shall remain and continue still in Prison without Bail or Mainprize, until such Time as he or they so offending can and shall find such sufficient Sureties, during the said Time and Space of Seven Years as is aforesaid.

Penalty.

**Unlawfully
entering Parks,
&c.**

III. And be it also enacted by Authority of this present Parliament, That if any Person or Persons, after the said Feast of *Pentecost* next coming, at any Time by Night or by Day, in Manner aforesaid, wrongfully or unlawfully break or enter into any Park impaled, or any other several Ground closed with Wall, Pale or Hedge, and used for the Keeping, Breeding and Cherishing of Deer, and so wrongfully hunt, drive or chase out, or take, kill or slay any Deer within any such impaled Park or closed Ground with Wall, Pale or other Inclosure, and used for Deer as is aforesaid, or do or shall take away any Hawk or Hawks, or the Eggs of any of them, by any Ways or Means unlawfully out of any the Woods or Ground of any Person or Persons (not having lawful Authority or Licence so to do) and thereof be lawfully convicted at the Suit of our Sovereign Lady the Queen, or the Party grieved as is aforesaid, shall likewise suffer Imprisonment of his or their Bodies by the Space of Three Months, and shall yield and pay to the Party grieved his Treble Damages; and after the said Three Months expired, shall find sufficient Sureties for his or their good Abearing for the Space of Seven Years after, against the Queen's Majesty, her Heirs and Successors, and all her Liege People as is aforesaid, or else shall remain and continue still in Prison, without Bail or Mainprize, until such Time as he or they so offending can and shall find such sufficient Sureties during the said Time of Seven Years as is afore rehearsed.

Penalty.

Provide.

IV. Provided always, That this Act, or any Thing therein contained, extend not to any Park or inclosed Ground hereafter to be made and used for Deer, without the Grant or Licence of our Sovereign Lady the Queen, her Heirs, Successors or Progenitors.

**Further remedy
of Party grieved.**

V. Provided always, and be it enacted by the Authority aforesaid, That it shall be lawful for the Party grieved to sue and take his further Remedy against all and every such Offender and Offenders, for his Loss and Damages, and to recover the Treble Value of the same in this Behalf, as well before Justices of *Oyer* and *Determiner*, Justices of Assizes in their Circuits, and Justices of the Peace, as elsewhere in any other the Queen's Courts of Record; and that upon the true Satisfaction of the said Treble Damages

Damages to the Party grieved, or upon the Confession and Knowledge thereof by the same Party, before the said Justices in open Sessions to be holden within the County where the Offence was committed, it shall be at the Liberty of the same Party grieved to whom the said Offence was committed, to release at his Pleasure the said Suretyship of good Abearing, at any Time within the said Seven Years or before; any Thing in this present Act before specified or expressed to the contrary notwithstanding.

May release the Suretyship of good Abearing.

VI. And be it further enacted by the Authority aforesaid, That the Justices of *Oyer and Determiner*, Justices of Assize in their Circuits, and Justices of the Peace and Gaol Delivery in their Sessions, shall by virtue hereof have Power and Authority to enquire, hear and determine all and singular the Offences aforesaid, and to make and award Process thereupon, as well upon Indictments taken before them, as by Bill of Complaint, Information or any other Action; in which Suit or Action no Essoign, Wager of Law nor Protection shall be allowed.

Who may determine Offences.

VII. And be it further enacted by the Authority aforesaid, That if any Person or Persons at any Time hereafter shall fortune to be bound before any of the Justices before mentioned, to the Queen, her Heirs or Successors, for his or their good Abearing for Seven Years, according to the Tenor of this Act, and the same Party or Parties so bound shall afterwards within the said Seven Years come before the Justices of the Peace of the said County where the said Offence was committed, or some of them in open Sessions, and there in the said open Sessions confess and acknowledge his or their said Offence or Offences, and be sorry therefore, and satisfy the Party or Parties grieved, according to the Tenor of this Act, that then the said Justices before whom the Confession shall be so made shall and may have Power and Authority by virtue of this Act, in the same open Session, or in any other open Session afterwards to be holden before the said Justices in the said County, within the said Term of Seven Years, if it shall seem good to their Discretions, to discharge the said Recognizance and Bond so taken, and also the said Party and Parties so bound; this Act or any Thing therein contained to the contrary thereof notwithstanding.

In what Case Justices of Peace may release Offender of good Abearing.

[So much of this Act as relates to Deer repealed, 16 G. 3. c. 30. § 27.]

C A P. XXII.

An Act against the carrying of Sheep Skins and Pelts over the Sea, not being Staple Ware.

FOR Reformation of many Grievs, lamentably declared this present Parliament, by divers Artificers of this Realm, working Leather, it may please your Royal Majesty, that it may be enacted and established with the Assent of this High Court of Parliament, That it shall not be lawful to or for any manner of Person or Persons whatsoever, from and after the First Day of *May* next coming, to make any Pelts, that is to say, to pull, shear, clip or take away the Wool of any Sheep-skin or Lamb-skin, or to buy any Skin of any Stag, Hind, Buck, Doe, Goat, Fawn or Kid, or the Pelts or Skins of any of them, unless such Person or Persons so making any Pelts, or buying such Skins as is aforesaid,

Making Pelts, &c.

Penalty.

aforesaid, do make or cause to be made thereof, tawed or lawfully tanned Leather or Parchment, or otherwise convert the same into Semits, Pannels or other their own necessary Uses, upon Pain that every Person so making Pelts, or buying any of the Skins or Pelts aforesaid, contrary to the Meaning of this Act, shall forfeit and lose the Value of all such Pelts or Skins so made and bought, and Two Shillings Six pence for every Skin or Pelt so bought, or Pelt so made as is aforesaid.

Transporting
Sheep-skins,
Lamb-skins, &c.

Penalty.

II. And be it further enacted, That it shall not be lawful to or for any Person or Persons whatsoever, from and after the Feast aforesaid, to ship or convey, or cause or procure to be shipped or conveyed, in or to any Ship, Boat or Vessel in or upon the Sea, or in or upon any Haven, River, Creek or Place within this Realm of *England* and *Wales*, or either of them, any manner of Sheep-skins, Woolfels, Shorlings, Morelings or the Skins of any Stag, Hind, Buck, Doe, Goat, Fawn or Kid, or the Pelts or Skins of any of them, or the Leather made of them or any of them (a), to the Intent to transport or carry the same into any of the Parts beyond the Seas, there to be uttered, bartered or sold by way of Merchandize or otherwise, upon Pain or Forfeiture of all such Skins or Pelts, bought, laden, shipped or transported contrary to the Tenor and true Meaning of this Act, or the Value of them; and also Two Shillings Six pence of lawful Money of *England*, for every Fell, Shorling, Moreling, Pelt or Skin aforesaid, bought, laden, shipped or transported contrary to the Tenor and true Meaning of this present Act; the Moiety of all which Forfeitures shall be to our Sovereign Lady the Queen's Majesty, her Heirs and Successors; and the other Moiety to him or them that will sue for the same by Action, Bill, Plaint, Information or otherwise, in any of the Queen's Majesty's Courts; in which Action no Essoign, Protection or Injunction shall be admitted or allowed. (a) [See Note at the End of AB.]

Wares that may
be lawfully trans-
ported by any
Merchant.

III. Provided always, That it shall and may be lawful to the Merchants of the Staple, the Merchants of *Newcastle* upon *Tyne*, *Hartlepool* and *Berwick*, their Servants, Factors and Attornies, and every of them, to carry and transport all such lawful Wares as heretofore they have been accustomed and lawfully might; any Thing in this Act to the contrary notwithstanding.

[So much of this Act as forbids the exporting of tawed Leather made of Sheep and Lamb Skins, repealed, 8 Eliz. c. 14. § 2.; and see 28 G. 3. c. 38. § 1.]

C A P. XXIII.

An Act for the due Execution of the Writ de *Excommunicato Capiendo*.

FORASMUCH as divers Persons offending in many great Crimes and Offences appertaining merely to the Jurisdiction and Determination of the Ecclesiastical Courts and Judges of this Realm are many Times unpunished for lack and want of the good and due Execution of the Writ de *Excommunicato capiendo*, directed to the Sheriff of any County, for the taking and apprehending of such Offenders; the great Abuse whereof, as it should seem, hath grown for that the said Writ is not returnable into any Court that might have the Judgment of the well execut-
ing

‘ing and serving of the said Writ according to the Contents thereof; but hitherto have been left only to the Discretion of the Sheriffs and their Deputies, by whose Negligences and Defaults for the most Part the said Writ is not executed upon the Offenders as it ought to be; by reason whereof such Offenders be greatly encouraged to continue their sinful and criminous Life, much to the Displeasure of Almighty God, and to the great Contempt of the Ecclesiastical Laws of this Realm:’

II. Wherefore for the Redress thereof, be it enacted by the Queen's most Excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *May* next coming, every Writ of *Excommunicato capiendo* that shall be granted and awarded out of the High Court of Chancery, against any Person or Persons within the Realm of *England*, shall be made in the Time of the Term, and returnable before the Queen's Highness, her Heirs and Successors, in the Court commonly called the King's Bench, in the Term next after the *Teste* of the same Writ, and that the said Writ shall be made to contain at the least Twenty Days between the *Teste* and the Return thereof; and after the same Writ shall be so made and sealed, that then the said Writ shall be forthwith brought into the said Court of King's Bench, and there, in the Presence of the Justices, shall be opened and delivered of Record to the Sheriff or other Officer to whom the Serving and Execution thereof shall appertain, or to his or their Deputy or Deputies; and if afterwards it shall or may appear to the Justices of the same Court for the Time being, that the same Writ so delivered of Record be not duly returned before them at the Day of the Return thereof, or that any other Default or Negligence hath been used or had in the not well serving and executing of the said Writ; that then the Justices of the said Court shall and may, by Authority of this Act, assess such Amerciament upon the said Sheriff or other Officer in whom such Default shall appear, as to the Discretion of the said Justices shall be thought meet and convenient; which Amerciament so assessed shall be estreated into the Court of Exchequer, as other Amerciaments have been used.

Awarding and returning of *Excommunicato capiendo*.

Sheriff not returning Writ. Penalty.

III. And be it further enacted by the Authority aforesaid, That the Sheriff or other Officer to whom such Writ of *Excommunicato capiendo*, or other Process by virtue of this Act shall be directed, shall not in any wise be compelled to bring the Body of such Person or Persons as shall be named in the said Writ or Process, into the said Court of the King's Bench at the Day of the Return thereof; but shall only return the same Writ and Process thither, with Declaration briefly how and in what Manner he hath served and executed the same, to the Intent that thereupon the said Justices may then further therein proceed, according to the Tenor and Effect of this present Act.

What shall be done with the Body of the *Excommunicato*.

IV. And if the said Sheriff or other Officer to whom the Execution of the said Writ shall so appertain, do or shall return that the Party or Parties named in the said Writ cannot be found within his Bailiwick, that then the said Justices of the King's Bench for the Time being, upon every such Return, shall award one Writ of *Capias* against the said Person or Persons named in the said Writ of *Excommunicato capiendo*, returnable in the same

If the Sheriff return Non est inventus.

First *Capias*.

Court

Proclamation.

Penalty.

Return.

Not appearing.

Penalty.

Second *Capias*.

Not appearing.

Penalty.

Third *Capias*.

Court in the Term Time, Two Months at least next after the *Teste* thereof, with a Proclamation to be contained within the said Writ of *Capias*, that the Sheriff or other Officer to whom the said Writ shall be directed, in the full County Court, or else at the General Assizes and Gaol Delivery to be holden within the said County, or at a Quarter-Sessions to be holden before the Justices of the Peace within the said County, shall make open Proclamation Ten Days at the least before the Return, that the Party or Parties named in the said Writ shall, within Six Days next after such Proclamation, yield his or their Body or Bodies to the Gaol or Prison of the said Sheriff or other such Officer, there to remain as a Prisoner, according to the Tenor and Effect of the First Writ of *Excommunicato capiendo*, upon Pain of Forfeiture of Ten Pounds, and thereupon after such Proclamation had, and the said Six Days past and expired, then the said Sheriff or other Officer to whom such Writ of *Capias* shall be directed, shall make Return of the same Writ of *Capias* into the said Court of the King's Bench, of all that he hath done in the Execution thereof, and whether the Party named in the said Writ, have yielded his Body to Prison or not.

V. And if upon the Return of the said Sheriff it shall appear, that the Party or Parties named in the same Writ of *Capias*, or any of them, have not yielded their Bodies to the Gaol and Prison of the said Sheriff or other Officer, according to the Effect of the same Proclamation; that then every such Person that so shall make Default, shall for every such Default forfeit to the Queen's Highness, her Heirs and Successors, Ten Pounds, which shall likewise be estreated by the said Justices into the said Court of Exchequer, in such Manner and Form as Fines and Amerciaments there taxed and assessed are used to be.

VI. And thereupon the said Justices of the King's Bench shall also award forth one other Writ of *Capias* against the Person or Persons that so shall be returned to have made Default, with such like Proclamation as was contained in the First *Capias*, and a Pain of Twenty Pounds, to be mentioned in the said Second Writ and Proclamation; and the Sheriff or other Officer to whom the said Second Writ of *Capias* shall be so directed, shall serve and execute the said Second Writ in such like Manner and Form as before is expressed for the serving and executing of the said First Writ of *Capias*; and if the Sheriff or other Officer shall return upon the said Second *Capias*, that he hath made the Proclamation according to the Tenor and Effect of the same Writ, and that the Party hath not yielded his Body to Prison according to the Tenor of the said Proclamation, that then the said Party that so shall make Default, shall for such his Contempt and Default forfeit to the Queen's Highness, her Heirs and Successors, the Sum of Twenty Pounds, which said Sum of Twenty Pounds the said Justices of the King's Bench for the Time being shall likewise cause to be estreated into the said Court of Exchequer, in Manner and Form aforesaid.

VII. And then the said Justices shall likewise award forth one other Writ of *Capias* against the said Party, with such like Proclamation and Pain of Forfeiture, as was contained in the said Second Writ of *Capias*; and the Sheriff or other Officer to whom the said Third Writ of *Capias* shall so be directed, shall serve and execute

execute the said Third Writ of *Capias* in such like Manner and Form as before in this Act is expressed and declared for the serving and executing of the said First and Second Writs of *Capias*; and if the Sheriff or other Officer to whom the Execution of the said Third Writ shall appertain, do make return of the said Third Writ of *Capias*, that the Party upon such Proclamation hath not yielded his Body to Prison according to the Tenor thereof, that then every such Party for every such Contempt and Default shall likewise forfeit to the Queen's Majesty, her Heirs and Successors, other xx. li. which Sum of xx. li. shall likewise be estreated into the said Court of the Exchequer in Manner and Form aforesaid; and thereupon the said Justices of the King's Bench shall likewise award forth one Writ of *Capias* against the said Party, with like Proclamation and like Pain of Forfeiture of xx. li.; and that also the said Justices shall have Authority by this Act, infinitely to award such Process of *Capias* with such like Proclamation and Pain of Forfeiture of xx. li. as is before limited against the said Party that so shall make Default in yielding of his Body to the Prison of the Sheriff, until such Time as by Return of some of the said Writs before the said Justices, it shall and may appear that the said Party hath yielded himself to the Custody of the said Sheriff or other Officer, according to the Tenor of the said Proclamation; and that the Party upon every Default and Contempt by him made against the Proclamation of any of the said Writs so infinitely to be awarded against him, shall incur like Pain and Forfeiture of xx. li. which shall likewise be estreated in Manner and Form aforesaid.

Not appearing.

Penalty.

Capias infinite.

Not appearing.

Penalty.

VIII. And be it further enacted by the Authority aforesaid, That when any Person or Persons shall yield his or their Body or Bodies to the Hands of the Sheriff or other Officer, upon any of the said Writs of *Capias*, that then the same Party or Parties that shall so yield themselves, shall remain in the Prison and Custody of the said Sheriff or other Officer, without Bail, Baileyn or Mainprize, in such like Manner and Form, to all Intents and Purposes, as he or they should or ought to have done, if he or they had been apprehended and taken upon the said Writ of *Excommunicato capiendo*.

Offender yielding shall be committed to Prison.

IX. And be it further enacted by the Authority aforesaid, That if any Sheriff or other Officer by whom the said Writ of *Capias* or any of them shall be returned as is aforesaid, do make an untrue Return upon any of the said Writs, that the Party named in the said Writ hath not yielded his Body upon the said Proclamations, or any of them, where indeed the Party did yield himself according to the Effect of the same, that then every such Sheriff or other Officer, for every such false and untrue Return, shall forfeit to the Party grieved and damaged by the said Return, the Sum of Forty Pounds, for the which Sum of Forty Pounds the said Party grieved shall have his Recovery and due Remedy by Action of Debt, Bill, Plaint or Information in any of the Queen's Courts of Record; in which Action, Bill, Plaint or Information, no Escoign, Protection or Wager of Law shall be admitted or allowed for the Party Defendant.

Sheriff making false Return.

Penalty.

X. Saving and reserving to all Archbishops and Bishops, and all others having Authority to certify any Person excommunicated, like Authority to accept and receive the Submission and Satis-

Bishop may receive Submission, and deliver Excommunicate.

faction of the said Person so excommunicated, in Manner and Form heretofore used, and him to absolve and release, and the same to signify as heretofore it hath been accustomed, to the Queen's Majesty, her Heirs and Successors, into the High Court of Chancery, and thereupon to have such Writs for the Deliverance of the said Person, so absolved and released from the Sheriff's Custody or Prison, as heretofore they or any of them had, or of Right ought or might have had; any Thing in this present Statute specified or contained to the contrary hereof in any wise notwithstanding.

Process out of
Liberties where
the Queen's
Writ runneth
not.

XI. Provided always, That in *Wales*, the Counties Palatines of *Lancaster*, *Chester*, *Durham* and *Ely*, and in the Cinque Ports, being Jurisdictions and Places exempt, where the Queen's Majesty's Writ doth not run, and Process of *Capias* from thence not returnable into the said Court of the King's Bench, after any *Significavit* being of Record in the said Court of Chancery, the Tenor of such *Significavit* by *Mittimus* shall be sent to such of the Head Officers of the said County of *Wales*, Counties Palatines and Places exempt, within whose Offices, Charge or Jurisdiction the Offenders shall be resiant; that is to say, to the Chancellor or Chamberlain for the said County Palatine of *Lancaster* and *Chester*, and for the Cinque Ports to the Lord Warden of the same, and for *Wales* and *Ely*, and the County Palatine of *Durham*, to the Chief Justice or Justices there; and thereupon every of the said Justices and Officers to whom such Tenor of *Significavit* with *Mittimus* shall be directed and delivered, shall, by virtue of this Estatute, have Power and Authority to make like Process to the inferior Officer and Officers to whom the Execution of Process there doth appertain, returnable before the Justices there at their next Sessions or Courts, Two Months at the least after the Teste of every such Process; so always as in every Degree they shall proceed in their Sessions and Courts against the Offenders, as the Justices of the said Court of King's Bench are limited by the Tenor of this Act in Term Times to do and execute.

Certain Persons
discharged of
Penalty.

XII. Provided also, and be it enacted, That any Person at the Time of any Process of *Capias* afore mentioned awarded, being in Prison, or out of this Realm in the Parts beyond the Sea, or within Age, or of *non sana memoria*, or Woman Covert, shall not incur any of the Pains or Forfeitures afore mentioned, which shall grow by any Return or Default happening during such Time of Nonage, Imprisonment, being beyond the Sea, or *non sana memoria*; and that by virtue of this Estatute the Party grieved may plead every such Cause or Matter in Bar of and upon the Distress, or other Process that shall be made for levying of any of the said Pains or Forfeitures.

Plea in Bar.

Addition accord-
ing to 1 H. 5. c. 5.

XIII. And that if the Offender against whom any such Writ of *Excommunicato capiendo* shall be awarded, shall not in the same Writ of *Excommunicato capiendo* have a sufficient and lawful Addition, according to the Form of the Statute of *Primo of Henry the Fifth*, in Cases of certain Suits whereupon Process of Exigent are to be awarded; or if in the *Significavit* it be not contained, that the Excommunication doth proceed upon some Cause or Contempt of some original Matter of Herefy, or refusing to have his or their Child baptized, or to receive the Holy Communion as it is now commonly used to be received in the Church of *England*,

or to come to Divine Service now commonly used in the said Church of *England*, or Error in Matters of Religion or Doctrine now received and allowed in the said Church of *England*, Incontinency, Usury, Simony, Perjury in the Ecclesiastical Court, or Idolatry; that then all and every Pains and Forfeitures limited against such Persons excommunicate by this Estatute, by reason of such Writ of *Excommunicato capiendo* wanting sufficient Addition, or of such *Significavit* wanting all the Causes afore mentioned, shall be utterly void in Law, and by way of Plea to be allowed to the Party grieved.

Causes of Excommunication in Significavit.

XIV. And if the Addition shall be with a *Nuper* of the Place, then in every such Case, at the awarding of the first *Capias* with Proclamation according to the Form afore mentioned, one Writ of Proclamation (without any Pain expressed) shall be awarded into the County where the Offender shall be most commonly resident at the Time of the awarding of the said first *Capias* with Pain in the same Writ of Proclamation, to be returnable the Day of the Return of the said first *Capias* with Pain, and Proclamation thereupon at some one such Time and Court, as is prescribed for the Proclamation upon the said first *Capias* with Pain; and if such Proclamation be not made in the County where the Offender shall be most commonly resident in such Cases of Additions of *Nuper*, that then such Offender shall sustain no Pain or Forfeiture by virtue of this Estatute for not yielding his or her Body according to the Tenor afore mentioned; any Thing before specified to the contrary hereof in any wise notwithstanding.

Addition with a *Nuper*.

Penalty.

C A P. XXIV.

An Act for the reviving of a Statute made Anno 23 H. 8. 23 H. 8. c. 2. touching the making of Gaols. EXP.

C A P. XXV.

An Act to fill up Juries *de Circumstantibus* lacking in *Wales*.

WHERE in the Parliament holden at *Westminster* in the Thirty fifth Year of the Reign of our late Sovereign Lord King *Henry* the Eighth, Father to our most dear Sovereign Lady the Queen's Majesty that now is, one wholesome and profitable Act and Estatute amongst other was then established and enacted, intituled by the Name of *An Act concerning the Appearance of Jurors in Nisi Prius*; where amongst (other Things) in the Act it was established, that where a full Jury returned betwixt Party and Party did not appear before the Justices of Assize or *Nisi Prius*, or else after Appearance of a full Jury, by Challenge of any of the Parties, the Jury was like to remain untaken for Default of Jurors, that the same Justices, upon Request made by the Party Plaintiff or Demandant, should have Authority by virtue of the same Act, to command the Sheriff or other Minister or Ministers to whom the making of the said Return should appertain, to name and appoint, as often as Need should require, so many of such other able Persons of the said County then present at the said Assize or *Nisi Prius*, as should make up a full Jury; which Persons so to be named and impanelled by such Sheriffs or other Minister or Ministers,

35 H. 8. c. 6.
§ 5, 6.

‘ should be added to the former Panel, and their Names annexed
 ‘ to the same, and further as in the same Act more plainly may
 ‘ appear; which said beneficial Act doth not extend unto the
 ‘ Twelve Shires of *Wales*, ne to the County Palatine of *Chester*,
 ‘ nor to the County Palatine of *Lancaster*, nor to the County
 ‘ Palatine of *Durham*; by reason whereof many Juries remain
 ‘ untaken betwixt the Parties, what for lack of Appearance of
 ‘ Jurors, and some because of Challenges, to the great Hin-
 ‘ drance of Justice, and great Expences and Charges to the
 ‘ Parties:’

II. For Reformation whereof, be it enacted by the Queen our
 Sovereign Lady, with the Assent of the Lords Spiritual and
 Temporal, and the Commons, in this present Parliament assembled,
 and by the Authority of the same, That in every of the Shires of
Wales; that is to say, *Pembroke, Carmarthen, Cardigan, Brecknock,*
Radnor, Glamorgan, Montgomery, Denbigh, Flint, Merioneth, Angle-
sey, Carnarvon, and in the County Palatine of *Chester*, and in the
 said County Palatine of *Durham*, and in the said County Palatine
 of *Lancaster*, where a full Jury shall not appear before the Justices
 of the Great Session in any of the said Shires or Counties Palatines,
 or their Deputies there, or else after Appearance of a full Jury,
 by Challenge of any of the Parties, the Jury is like to remain un-
 taken for Default of Jurors, that then the same Justices in every of
 the said Shires and Counties Palatines for the Time being, or their
 Deputy or Deputies, upon Request made by the Party Plain-
 tiff or Demandant, shall have full Authority by virtue of this
 Act to command the Sheriff, or other Minister or Ministers to
 whom the making of the said Return shall appertain, to name and
 appoint as often as Need shall require, so many of such other able
 Persons of the said Counties, then present at the said Great Sessions,
 as shall make up a full Jury; which Persons so to be named and
 impannelled by such Sheriffs, or other Minister or Ministers, shall
 be added to the former Panel, and their Names annexed to the
 same; and that every of the Parties shall or may have his or
 their Challenge to the Jurors so named, added and annexed to the
 said former Panel, by the said Sheriff or other Minister or Mi-
 nisters, in such wise as if they had been impannelled upon the *Venire*
facias awarded to try the said Issue; and that the said Justices, and
 every of them, and their Deputy or Deputies shall and may proceed
 to the Trial of every such Issue with those Persons that were be-
 fore impannelled and returned, and with those newly added and an-
 nexed to the said former Panel by virtue of this Act, in such wise
 as they might or ought to have done, if all the said Jurors had
 been returned upon the Writ of *Venire facias* awarded to try the
 said Issue; and that all and every such Trial had shall be as
 good and effectual in the Law, to all Intents, Constructions and
 Purposes as if such Trial had been had and tried by Twelve of
 the Jurors impannelled and returned upon the Writ of *Venire fa-*
cias awarded to try such Issue; and in case such Persons as the
 said Sheriff, Minister or Ministers shall name and appoint as is
 aforesaid, or any of them, after they shall be called, be present
 and do not appear, or after his or their Appearance do wilfully
 withdraw him or themselves from the Presence of the Court, that
 then such Justices or their Deputies shall and may set such Fine
 upon every such Juror making Default, or wilfully withdrawing
 himself

Wales.

Default of Jurors.

Challenge to
the Juries.

Tales with-
drawing.

himself as aforesaid, as they shall think good by their Discretions; the said Fine to be levied in such Manner and Form as Issues forfeited and lost by Jurors for Default of their Appearance, as is provided by the Law and Custom of the said Countries of *Wales*, and Counties Palatines aforesaid, where such Issues are forfeited.

Penalty.

III. And be it further enacted by the Authority aforesaid, That where any Jury that shall be returned by the Sheriff, or other Minister or Ministers, shall be made full by the Commandment of the said Justices or their Deputies, by virtue of this present Act, that yet nevertheless such Persons as were returned in the said Panel by the Sheriff or other Minister or Ministers, to try any such Issue, that shall not appear, but make Default, shall lose the Issues upon them returned, in such wise as though the same Jury had remained for Default of Jurors.

The first Jurors making Default shall lose their Issues.

IV. Provided always, and be it further enacted, That upon a reasonable Excuse for the Default of Appearance of any Juror or Jurors, sufficiently proved before the Justices of the Great Sessions, or their Deputies, in the Countries and Counties Palatines aforesaid, at the Day of their Appearance, by the Oaths of Two lawful and honest Witnesses, that the same Justices shall have Authority by their Discretions to discharge every such Juror of every such Forfeiture of Issues upon him returned; and that the said Sheriff or Sheriffs, or other Minister or Ministers, having Commandment by the said Justices to omit the returning of such Issues, as is aforesaid, upon such Juror or Jurors, shall be therein discharged of the Penalties aforesaid for the non-returning of the said Issues, and that yet notwithstanding the said Return to be good and effectual in the Law; any Law, Usage, Ordinance or Custom to the contrary notwithstanding.

Jurors shall be discharged of Issues upon Cause.

V. Provided also, and be it enacted by the Authority aforesaid, That if the said Justices or their Deputies, afore whom any such Jury should appear in the Shires or Counties Palatines where such Issue is to be tried, do not come at the Day and Place appointed, that then every one of the same Jurors shall be discharged for forfeiting of any Issues upon him returned in the same Writ; and the Sheriff, or other Minister or Ministers, shall be likewise discharged of the Penalties of this Estatute, for the non-returning of such Issues as are before limited in this Act; any Article or Sentence herein contained to the contrary notwithstanding.

If the Justices come not, the Jury shall be discharged of their Issues.

VI. And also be it further enacted by the Authority aforesaid, That if upon any such Writ of *Habeas corpora* or *Distingas*, Issues be returned upon any Hundredors, Juror or Jurors, by the Sheriffs, or other Minister or Ministers to whom the Execution of the same Writ or Writs shall appertain, whereas the same Hundredors and Jurors shall not be lawfully summoned, warned or distrained in that Behalf, that then every such Sheriff, or other Minister or Ministers aforesaid, shall lose for every such Offence so committed Double so much as the said Issues returned upon such Hundredors or Jurors not lawfully summoned, warned or distrained, shall amount unto; the Moiety of all which Forfeitures contained in this present Act, other than the Issues to be returned upon the Jurors, as is aforesaid, shall be to the Queen our Sovereign Lady, her Heirs and Successors, and the other Half to him that will sue for the same by Action of Debt, Bill, Plaint or Information, in the Queen her Grace's great Court within the said

Sheriff returning Issues upon Juror not warned.

Penalty.

General Saving.

County where such Forfeiture shall happen to be, before the said Justices, his or their Deputy or Deputies, in which no Wager of Law, Effoin or Protection shall be allowed ne admitted: Saving to all Manner of Persons, and Bodies Politick and Corporate, their Heirs and Successors, having lawful Right, Title and Interest, to have such Issues, to be before any such Justices or their Deputies at any Time or Times hereafter lost and forfeited, all such Right, Title and Interest as they or any of them should or ought to have had to such Issues to be lost and forfeited, as though this Act had never been had or made.

Exception as to Towns Corporate etc.

VII. Provided also, That this Act, nor any Thing therein contained, shall not extend to any City or Town Corporate, or to any Sheriff, Minister or Ministers in the same, for the Return of any Inquest or Panel to be made and returned of Persons inhabiting in the said Cities or Towns Corporate, but that they and every of them shall and may return such Persons in every such Inquest or Panel, as before this Time they might and have been accustomed to do, and as if this Act had never been had or made, so that the same Sheriff, Minister or Ministers, return upon such Persons as shall be impanelled, such like and reasonable Issues as they ought to return; any Thing in the same contained, to the contrary notwithstanding.

C A P. XXVI.

An Act for the Inrollment of Indentures of Bargain and Sale in the Queen's Majesty's Courts of (a) Record at Lancaster, Cheyler and Bishoprick of Durham, shall be good in Law.

27 H. 8. c. 16.
§ 1.

‘ WHERE in the Parliament holden upon Prorogation at Westminster the Fourth Day of February in the xxvij. Year of the Reign of our late Sovereign Lord of most famous Memory King Henry the Eighth, and there continued and kept till the xiiij. Day of April then next ensuing, it was enacted, That from the last Day of July, which was in the Year of our Lord God One thousand five hundred thirty six, no Manors, Lands, Tenements or other Hereditaments should pass, alter or change from one to another, whereby any Estate of Inheritance or Freehold should be made or take Effect in any Person or Persons, or any Use thereof to be made, by reason only of any Bargain and Sale thereof, except the same Bargain and Sale were made by Writing indented, sealed and inrolled in one of the King's Courts of Record at Westminster, or else within the same County or Counties where the same Manors, Lands or Tenements so bargained and sold lie or be, before the *Custos Rotulorum* and Two Justices of the Peace, and the Clerk of the Peace of the same County or Counties, or Two of them at the least (whereof the Clerk of the Peace to be one), and the same Inrollments to be had and made within Six Months next after the Date of the said Writing indented; as by the same Act of Parliament, among other Things therein contained, more at large it doth appear.

‘ II. And forasmuch as the same Act of Parliament doth not extend to make any Inrollments of any Deeds indented of such

(a) [The Roll leaves the Courts blank.]

• Bargains

‘ Bargains and Sales made of any Manors, Lands, Tenements
 ‘ or Hereditaments, lying and being within the Counties Palatine
 ‘ of *Lancaster*, *Chester* and the Bishoprick of *Durham*, to be good
 ‘ or of any Force in the Law, in any the Queen’s Courts of Re-
 ‘ cord within the said Counties Palatine of *Lancaster*, *Chester* or
 ‘ Bishoprick of *Durham*;

III. Be it now therefore enacted by the Queen our Sovereign Lady, with the Assent of the Lords Spiritual and Temporal of this present Parliament assembled, and by the Authority of the same, That from the Feast of *Easter* next coming, all Inrolments of such Writings indented, (*viz.* as be mentioned 27 *H. 8. c. 16.*) of any Bargain and Sale, after the said Feast of *Easter* to be made of any Manors, Lands, Tenements or other Hereditaments, set, lying or being in the Counties of *Lancaster*, *Chester* and Bishoprick of *Durham*, being made and inrolled within Six Months next after the Date of any such Writings indented, in the Queen’s Court of Chancery at *Lancaster*, or before the Queen’s Justice or Justices of Assizes at *Lancaster* aforesaid, concerning any Manors, Lands, Tenements or Hereditaments within the said County of *Lancaster*; or in the Queen’s Court of the Exchequer at *Chester*, or before the Queen’s Justice or Justices of Assizes at *Chester* aforesaid, concerning any Manors, Lands, Tenements or Hereditaments within the said County of *Chester*; or in the Court of Chancery at *Duresme*, or before the Justice or Justices of Assizes at *Duresme* aforesaid, concerning any Manors, Lands, Tenements or Hereditaments within the said County of the Bishoprick of *Duresme*, shall be accepted, reputed, deemed and taken by the Authority of this Act, to be as good and available in Law, to all Intents, Constructions and Purposes, as if the same Writings indented had been made and inrolled in any of the Queen’s Courts at *Westminster*; any Thing contained in the said former Act to the contrary in any wise notwithstanding.

IV. Provided always, That this Act nor any Thing therein contained extend to any Manors, Lands, Tenements or Hereditaments lying and being within any City, Borough or Town Corporate within any of the said Countries, wherein the Mayors, Recorders, Chamberlains, Bailiffs or other Officer or Officers have Authority, and have lawfully used, to inrol any Evidences, Deeds or other Writing, within their Precinct or Limits; any Thing in this Act contained to the contrary notwithstanding.

Inrolments in
Lancaster, *Chester*
 and *Durham*.

Towns Cor-
 porate.

C A P. XXVII.

An Act touching Fines to be levied in the County Palatine of *Durham*.

‘ IN most humble wise shewen unto your most Excellent Majesty
 ‘ your true and faithful Subjects and Liegemen the Inhabitants
 ‘ of the County Palatine of *Durham*, That whereas by Authority of
 ‘ Parliament divers necessary and beneficial Statutes have been made
 ‘ for and concerning the levying of Fines with Proclamation (a),
 ‘ which are not only necessary for the Preservation of Quietness
 ‘ and Concord amongst your loving Subjects, and for the avoiding
 ‘ of Strife and Contention, but also for the great and perfect

(a) [See 4 & 5 *H. 7. c. 24.* 1 *M. Sess. 2. c. 7.*]
 R 3 Assurance

Fines levied be-
fore the Justices
of Assize at
Durham.

‘ Assurance of all such Persons to whom such Fines are levied, of
‘ any Lands, Tenements or Hereditaments; which said beneficial
‘ and necessary Estatutes do not extend to any Fines to be levied
‘ within the said County Palatine of *Durham*.’ In tender Con-
sideration whereof pleaseth it your most Excellent Majesty, that
it may be enacted by your Highness, and the Lords Spiritual
and Temporal, and the Commons, in this present Parliament
assembled, and by the Authority of the same, That all and sin-
gular Fines, which at any Time hereafter shall be levied or know-
ledged before the Justice or Justices of the County Palatine of
Durham for the Time being, authorized for that Purpose and
Cause, of any Lands, Tenements or other Hereditaments lying or
being within the said County Palatine of *Durham*, which shall be
openly read and proclaimed Two several Days in the open Sessions
in the Presence of the Justices of Assize at *Durham*, or one of them
for the Time being, at the same Sessions that the same Fine shall
fortune to be ingrossed; and also that shall be openly read and
proclaimed in the Presence of the Justices of Assize at *Durham*, or
one of them for the Time being, at the Two next General Sessions
that shall be holden in the County Palatine of *Durham* before the
Justices of the same County, commonly called Justices of Assize
at *Durham*, or one of them, next after the levying or ingrossing
of such said Fine; shall be of like and of the same Force, Strength
and Effect in the Law, to all Intents, Construtions and Purposes,
as Fines being duly levied with Proclamations before the Queen’s
Justices of her Common Pleas at *Westminster* be or ought to be,

C A P. XXVIII.

An Act for the Translating of the Bible and the Divine Ser-
vice into the *Welsh* Tongue.

1 Eliz. c. 2. § 3.

‘ WHEREAS the Queen’s most Excellent Majesty, like a
‘ most godly and virtuous Princess, having chief Respect
‘ and Regard to the Honour and Glory of God, and the Souls
‘ Health of her Subjects, did in the First Year of her Reign, by
‘ the Authority of her High Court of Parliament, chiefly for
‘ that Purpose called, set forth a Book of Common Prayer and
‘ Order of the Administration of Sacraments in the vulgar *Eng-
lish* Tongue, to be used through all her Realm of *England*,
‘ *Wales* and the Marches of the same, that thereby her Highness
‘ most loving Subjects understanding in their own Language the
‘ terrible and fearful Threatnings rehearsed in the Book of God
‘ against the Wicked and Malefactors, the pleasant and infallible
‘ Promises made to the elect and chosen Flock, with a just Order
‘ to rule and guide their Lives according to the Commandments
‘ of God, might much better learn to love and fear God, to serve
‘ and obey their Pri^c, and to know their Duties towards their
‘ Neighbours; which Book being received as a most precious
‘ Jewel with an inspeakable Joy of all such her Subjects as did
‘ and do understand the *English* Tongue, the which Tongue is
‘ not understood of the most and greatest Number of all her
‘ Majesty’s most loving and obedient Subjects inhabiting within
‘ her Highness Dominion and Country of *Wales*, being no small
‘ Part of this Realm, who therefore are utterly destituted of God’s
‘ Holy Word, and do remain in the like or rather more Darknes
‘ and

' and Ignorance than they were, in the Time of Papiſtry : ' Be it therefore enacted by the Queen our Sovereign Lady, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Biſhops of *Hereford, Saint Davies, Aſaph, Bangor and Landaff*, and their Succeſſors, ſhall take ſuch Order amongſt themſelves for the Souls Health of the Flocks committed to their Charge within *Wales*, that the whole Bible, containing the New Teſtament and the Old, with the Book of Common Prayer and Adminiſtration of the Sacraments, as is now uſed within this Realm in *Engliſh*, to be truly and exactly tranſlated into the *Britiſh* or *Welſh* Tongue ; and that the ſame ſo tranſlated, being by them viewed, peruſed and allowed, be imprinted to ſuch Number at the leaſt, that one of either Sort may be had for every Cathedral, Collegiate and Pariſh Church, and Chapel of Eaſe, in ſuch Places and Countries of every the ſaid Dioceſes where that Tongue is commonly ſpoken or uſed, before the Firſt Day of *March*, Anno Dom. One thouſand five hundred ſixty ſix. And that from that Day forth, the whole Divine Service ſhall be uſed and ſaid by the Curates and Miniſters throughout all the ſaid Dioceſes where the *Welſh* Tongue is commonly uſed, in the ſaid *Britiſh* or *Welſh* Tongue, in ſuch Manner and Form as is now uſed in the *Engliſh* Tongue, and differing nothing in any Order or Form from the *Engliſh* Book ; for the which Books ſo imprinted, the Pariſhioners of every of the ſaid Pariſhes ſhall pay the one Half or Moiety, and the Parſon and Vicar of every of the ſaid Pariſhes (where both be) or elſe the one of them where there is but one, ſhall pay the other Half or Moiety ; the Prices of which Books ſhall be appointed and rated by the ſaid Biſhops and their Succeſſors, or by Three of them at the leaſt ; the which Things if the ſaid Biſhops or their Succeſſors neglect to do, then every one of them ſhall forfeit to the Queen's Majeſty, her Heirs and Succeſſors, the Sum of Forty Pounds, to be levied of their Goods and Chattels.

The Bible and Book of Common Prayer to be tranſlated into the Welſh Tongue.

Expence how paid.

Penalty

II. Be it further enacted by the Authority aforeſaid, That every Miniſter and Curate within the Dioceſſes before ſaid, where the *Welſh* Tongue is commonly uſed, ſhall from the Feaſt of *Whitſuntide* next enſuing until the aforeſaid Day of *March*, which ſhall be in the Year One thouſand five hundred ſixty and ſix, at all Times of Communion declare or read the Epiſtle and Goſpel of the Day in the *Welſh* Tongue, to his or their Pariſhioners in every of the ſaid Churches and Chapels ; and alſo once every Week at the leaſt, ſhall read or declare to their ſaid Pariſhioners in the ſaid Churches the Lord's Prayer, the Articles of the Chriſtian Faith, the Ten Commandments, and the Litany, as they are ſet forth in the *Engliſh* Tongue, in the ſaid *Welſh* Tongue, with ſuch other Part of the Common Prayer and Divine Service as ſhall be appointed by the Biſhop of the Dioceſs for the Time being.

III. And one Book containing the Bible, and one other Book of Common Prayer, in the *Engliſh* Tongue, ſhall be bought and had in every Church throughout *Wales* in which the Bible and Book of Common Prayer in *Welſh* is to be had by Force of this Act (if there be none already) before the Firſt Day of *March* which ſhall be in the Year of our Lord God One thouſand five hundred ſixty ſix ; and the ſame Books to remain in ſuch convenient Places within the ſaid Churches, that ſuch as underſtand

A Bible and Book of Common Prayer in Engliſh ſhall be in every Church in Wales.

them

them may resort at all convenient Times to read and peruse the same; and also such as do not understand the said Language, may by conferring both Tongues together, the sooner attain to the Knowledge of the *English* Tongue; any Thing in this Act to the contrary notwithstanding.

C A P. XXIX.

An Act for the Confirmation of a Subsidy granted by the Clergy. EXP.

C A P. XXX.

An Act of a Subsidy and Two Fifteens and Tenths granted by the Temporality. EXP.

C A P. XXXI.

An Act of the Queen's Majesty's most free, gracious and general Pardon.

[Caps. 29, 30 and 31. not on the Roll.]

Anno octavo Regina ELIZABETHÆ.
(A.D.1565.)

STATUTES made in the Parliament by Prorogation holden at Westminster the Thirtieth Day of September in the Eighth Year of the Reign of our most gracious and excellent Sovereign Lady ELIZABETH, by the Grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c. viz.

C A P. I.

An Act declaring the Manner of making and consecrating of the Archbishops and Bishops of this Realm to be good, lawful and perfect.

FORASMUCH as divers Questions, by overmuch Boldness of Speech and Talk amongst many of the common Sort of People being unlearned, hath lately grown upon the making and consecrating of Archbishops and Bishops within this Realm, whether the same were and be duly and orderly done according to the Law or not, which is much tending to the Slander of all the State of the Clergy, being one of the great States of this Realm: Therefore for the avoiding of such slanderous Speech, and to the Intent that every Man that is willing to know the Truth, may plainly understand that the same evil Speech and Talk is not grounded upon any just Matter or Cause, it is thought convenient hereby partly to touch such Authorities as do allow and approve the making and consecrating of the same Archbishops and Bishops to be duly and orderly done, according to the

the Laws of this Realm, and thereupon further to provide for the more Surety thereof, as hereafter shall be expressed.

II. First, it is very well known to all Degrees of this Realm, that the late King of most famous Memory, King *Henry* the Eighth, as well by all the Clergy then of this Realm in their several Convocations, as also by all the Lords Spiritual and Temporal, and Commons, assembled in divers of his Parliaments, was justly and rightfully recognized and knowledgeable to have the supreme Power, Jurisdiction, Order, Rule and Authority over all the Estate Ecclesiastical of the same, and the same Power, Jurisdiction and Authority did use accordingly: And that also the said late King, in the Five and twentieth Year of his Reign, did by Authority of Parliament, amongst other Things, set forth a certain Order of the Manner and Form how Archbishops and Bishops, within this Realm and other his Dominions, should be elected and made, as by the same more plainly appeareth: And that also the late King of worthy Memory, King *Edward* the Sixth, did lawfully succeed the said late King *Henry* his Father, in the Imperial Crown of this Realm, and did justly possess and enjoy all the same Power, Jurisdiction and Authority before mentioned, as a Thing to him descended with the same Imperial Crown, and so used the same during his Life: And that also the said late King *Edward* the Sixth, in his Time by Authority of Parliament caused a godly and virtuous Book, intituled, *The Book of Common Prayer, and Administration of Sacraments, and other Rites and Ceremonies in the Church of England*, to be made and set forth, not only for One uniform Order of Service, Common Prayer, and the Administration of Sacraments, to be used within all this Realm and other his Dominions, but also did add and put to the same Book a very good and godly Order of the Manner and Form how Archbishops, Bishops, Priests, Deacons and Ministers, should from Time to Time be consecrated, made and ordered within this Realm and other his Dominions, as by the same more plainly will and may appear: And although in the Time of the late Queen *Mary*, as well the said Act and Statute made in the Five and Twentieth Year of the Reign of the said late King *Henry* the Eighth, as also the several Acts and Statutes made in the Second, Third, Fourth, Fifth and Sixth Years of the Reign of the said late King *Edward*, for the authorising and allowing of the said Book of Common Prayer, and other the Premises, amongst divers other Acts and Statutes touching the said supreme Authority, were repealed: Yet nevertheless, at the Parliament holden at *Westminster* in the First Year of the Reign of our Sovereign Lady the Queen's Majesty that now is, by one other Act and Statute there made, all such Jurisdictions, Privileges, Superiorities and Preheminences Spiritual and Ecclesiastical, as by any Spiritual or Ecclesiastical Power or Authority hath heretofore been, or may lawfully be used over the Ecclesiastical Estate of this Realm, and the Order, Reformation and Correction of the same, is fully and absolutely by the Authority of the same Parliament, united and annexed to the Imperial Crown of this Realm: And by the same Act and Statute there is also given to the Queen's Highness, her Heirs and Successors, Kings and Queens of this Realm, full Power and Authority, by Letters Patents under the Great Seal

25 H. 8. c. 20.
§ 4

5 & 6 E. 6. c. 2.
§ 5

1 & 2 P. & M.
c. 8.

1 Eliz. c. 1.
§ 17.

§ 12.

57.

2 Eliz. c. 2.

§ 2.

The Queen
caused divers
Persons to be
elected and con-
secrated Arch-
bishops, &c.

Seal of *England*, from Time to Time to assign, name and au-
 ' rise such Person or Persons as she or they shall think meet and
 ' convenient, to exercise, use, occupy and execute under her
 ' Highness, all Manner of Jurisdiction, Privileges, Preheminences
 ' and Authorities, in any wise touching or concerning any Spi-
 ' ritual or Ecclesiastical Power or Jurisdiction within this Realm,
 ' or any other her Highness Dominions or Countries: And also
 ' by the same Act and Statute, the said Act made in the Five and
 ' twentieth Year of the Reign of the said late King *Henry* the
 ' Eighth, for the Order and Form of the electing and making of
 ' the said Archbishops and Bishops, together with divers other
 ' Statutes touching the Jurisdiction over the State Ecclesiastical,
 ' is revived and made in full Force and Effect, as by the same
 ' Act and Statute more plainly appeareth: And that also by ano-
 ' ther Act and Statute made in the said Parliament in the First
 ' Year of the Reign of our said Sovereign Lady, intituled, *An*
 ' *Act for the Uniformity of Common Prayer, and Service in the*
 ' *Church, and the Administration of Sacraments*, the said Book of
 ' Common Prayer, and the Administration of Sacraments, and
 ' other the said Orders, Rites and Ceremonies before mentioned,
 ' and all Things therein contained, with certain Additions therein
 ' newly added and appointed by the said Estatute, is fully esta-
 ' blished and authorized to be used in all Places within this Realm,
 ' and all other the Queen's Majesty's Dominions and Countries,
 ' as by the said Act, amongst other Things, more plainly ap-
 ' peareth: Whereupon our said Sovereign Lady the Queen's most
 ' excellent Majesty, being most justly and lawfully invested in the
 ' Imperial Crown of this Realm, with all Authorities, Prehemi-
 ' nences and Dignities thereunto appertaining, and thereby having
 ' in her Majesty's Order and Disposition all the said Jurisdictions,
 ' Power and Authorities over the State Ecclesiastical and Tem-
 ' poral, as well in Causes Ecclesiastical as Temporal, within this
 ' Realm and other her Majesty's Dominions and Countries, hath
 ' by her supream Authority, at divers Times sithence the Begin-
 ' ning of her Majesty's Reign, caused divers and sundry grave and
 ' well learned Men to be duly elected, made and consecrated
 ' Archbishops and Bishops of divers Archbishopricks and Bishop-
 ' ricks within this Realm, and other her Majesty's Dominions and
 ' Countries, according to such Order and Form, and with such
 ' Ceremonies in and about their Consecrations, as were allowed
 ' and set forth by the said Acts, Statutes and Orders annexed to
 ' the said *Book of Common Prayer* before mentioned: And further,
 ' for the avoiding of all Ambiguities and Questions that might be
 ' objected against the lawful Confirmations, Investing and Consec-
 ' crations of the said Archbishops and Bishops, her Highness in
 ' her Letters Patents under the Great Seal of *England*, directed
 ' to any Archbishop, Bishop or others, for the confirming, invest-
 ' ing and consecrating of any Person elected to the Office or Dig-
 ' nity of any Archbishop or Bishop, hath not only used such
 ' Words and Sentences as were accustomed to be used by the said
 ' late King *Henry* and King *Edward*, her Majesty's Father and
 ' Brother, in their like Letters Patents made for such Causes, but
 ' also hath used and put in her Majesty's said Letters Patents
 ' divers other general Words and Sentences, whereby her High-
 ' ness, by her supream Power and Authority, hath dispensed with

all

all Causes or Doubts of any Imperfection or Difability that can or may in any wise be objected against the same, as by her Majesty's said Letters Patents remaining of Record more plainly will appear: So that to all those that will well consider of the Effect and true Intent of the said Laws and Statutes, and of the supream and absolute Authority of the Queen's Highness, and which she by her Majesty's said Letters Patents hath used and put in Use in and about the making and consecrating of the said Archbishops and Bishops, it is and may be very evident and apparent, that no Cause of Scruple, Ambiguity or Doubt can or may justly be objected against the said Elections, Confirmations or Consecrations, or any other material Thing meet to be used or had in or about the same; but that every Thing requisite and material for that Purpose hath been made and done as precisely, and with as great a Care and Diligence, or rather more, as ever the like was done before her Majesty's Time, as the Records of her Majesty's said Father and Brother's Time, and also of her own Time, will more plainly testify and declare:

The Queen's Dispensation of all Doubts of Imperfections or Difability of electing Bishops.

III. Wherefore for the plain Declaration of all the Premises, and to the Intent that the same may the better be known to every of the Queen's Majesty's Subjects, whereby such evil Speech as heretofore hath been used against the high State of Prelacy may hereafter cease, be it now declared and enacted by the Authority of this present Parliament, That the said Act and Statute made in the First Year of the Reign of our said Sovereign Lady the Queen's Majesty, whereby the said Book of Common Prayer and the Administration of Sacraments, with other Rites and Ceremonies, is authorized and allowed to be used, shall stand and remain good and perfect, to all Respects and Purposes; and that such Order and Form for the consecrating of Archbishops and Bishops, and for the making of Priests, Deacons and Ministers, as was set forth in the Time of the said late King Edward the Sixth, and added to the said Book of Common Prayer, and authorized by Parliament in the Fifth and Sixth Years of the said late King, shall stand and be in full Force and Effect, and shall from henceforth be used and observed in all Places within this Realm, and other the Queen's Majesty's Dominions and Countries:

1 Eliz. c. 2 confirmed.

5 & 6 E. 6. c. 13 confirmed.

IV. And that all Acts and Things heretofore had, made or done by any Person or Persons in or about any Consecration, Confirmation or Investing of any Person or Persons elected to the Office or Dignity of any Archbishop or Bishop within this Realm, or within any other the Queen's Majesty's Dominions or Countries, by virtue of the Queen's Majesty's Letters Patents or Commission since the Beginning of her Majesty's Reign, be and shall be by Authority of this present Parliament declared, judged and deemed at and from every of the several Times of the doing thereof, good and perfect to all Respects and Purposes; any Matter or Thing that can or may be objected to the contrary thereof in any wise notwithstanding.

Acts by Bishops elected under Letters Patent good.

V. And that all Persons that have been or shall be made, ordered or consecrated Archbishops, Bishops, Priests, Ministers of God's holy Word and Sacraments, or Deacons, after the Form and Order prescribed in the said Order and Form how Archbishops, Bishops, Priests, Deacons and Ministers should be consecrated, made and ordered, be in very Deed, and also by Authority hereof declared.

Consecration according to 5 & 6 E. 6. c. 1. good.

declared and enacted to be, and shall be Archbishops, Bishops, Priests, Ministers and Deacons, and rightly made, ordered and consecrated; any Statute, Law, Canon or other Thing to the contrary notwithstanding.

Oath of
Supremacy.

VI. Provided always, and nevertheless be it enacted by the Authority aforesaid, That no Person or Persons shall at any Time hereafter be impeached or molested, in Body, Lands, Livings or Goods, by Occasion or Mean of any Certificate by any Archbishop or Bishop heretofore made, or before the last Day of this present Session of Parliament to be made, by virtue of any Act made in the First Session of this present Parliament, touching or concerning the Refusal of the Oath declared and set forth by Act of Parliament in the First Year of the Reign of our said Sovereign Lady Queen *Elizabeth*; any Thing in this Act, or any other Act or Statute heretofore made to the contrary notwithstanding.

VII. And that all Tenders of the said Oath, made by any Archbishop or Bishop aforesaid, or before the last Day of this present Session to be made by Authority of any Act established in the First Session of this present Parliament, and all Refusals of the same Oath so tendred, or before the last Day of this present Session to be tendred, by any Archbishop or Bishop, by Authority of any Act established in the First Session of this present Parliament, shall be void and of none Effect or Validity in the Law.

C A P. II.

An Act whereby the Defendant may recover his Costs being wrongfully vexed.

‘ **W**HERE divers Persons of their malicious Minds, and without any just Cause, do many Times cause and procure others of the Queen’s Majesty’s loving Subjects to be very much molested and troubled by Attachments and Arrests made of their Bodies, as well by Process of *Latitat*, *Alias* and *Pluries capias*, sued out of the Court commonly called the King’s Bench, as also by Plaint, Bill or other Suit in the Court commonly called the Marshalsea, and within the City of *London*, and other Cities, Towns Corporate and Places where any Liberty or Privilege is to hold Pleas of Debt, Trespasse, and other personal Actions and Suits: And when the Parties that be arrested or attached are brought forth to answer to such Actions and Suits as should be objected against them, then many Times there is no Declaration or Matter laid against the Parties so arrested or attached, whereunto they may make any Answer; and so the Party arrested is very maliciously put to great Charges and Expences, without any just or reasonable Cause: And yet nevertheless, hitherto, by Order of the Law, the Party so grieved and vexed could never have any Costs or Damages to him to be judged or awarded for the said unjust Vexation and Trouble:’

II. For Remedy whereof, Be it enacted and ordained by the Authority of this present Parliament, That when and as often as any Person and Persons, after the First Day of *January* next coming shall sue forth, or by any Means cause or procure to be sued forth, of the said Court commonly called the King’s Bench, any of the Writs or Process before mentioned, against any Person or Persons which upon the same Writ or Writs shall happen to

Where Plaintiff delays, discontinues, or is nonsuited in K. B.

be arrested, or which shall appear upon the Return of any of the said Writs or Proceſs, and shall put in his or their Bail or Bails to answer such Suit as shall be objected against him, according to the common Order of the Court, that then in every such case, if the Party or Parties at whose Suit, Means or Procurement, the same Writ, Writs or Proceſs was obtained or sued forth, do not within Three Days next after such Bail had and taken, put into the same Court his or their Declaration against the same Party or Parties against whom such Writs or Proceſs hath been or shall be sued; or if after Declaration had and put into the same Court, the Plaintiff in such Case shall not prosecute the same with Effect, but shall willingly and apparently to the same Court suffer his or their said Suit to be delayed; or shall, after Declaration so had, suffer the same Suit to be discontinued, or otherwise shall be nonsuit in the same; that then in every such case, the Judges of the said Court for the Time being shall by their Discretions from Time to Time, as they shall see or perceive any such Default to be in the Party or Parties at whose Suit, Means or Procurement such Writs or Proceſs was sued forth, award and judge to every such Person and Persons so arrested, vexed, molested or troubled by such Writs or Suit, his and their Costs, Damages and Charges by any Means sustained by Occasion of any such Writs, Proceſs, Arrests or Suits, taken, sued or had against him, to be paid by such Person or Persons that so doth or shall cause or procure any such Writs or Proceſs to be sued forth, as is aforesaid.

Costs, &c.

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall after the said First Day of *January* cause or procure any other Person or Persons to be attached or arrested to answer to any Bill, Plaint, Action or Suit in the said Court of the Marshalsea, or in any Court within the said City of *London*; or in any City, Borough, Town Corporate or other Place or Places, where any Liberty or Privilege is used to hold Plea in any Action or Actions personal, and do not, in all Courts having their Continuance *de die in diem*, within Three Days next after such Time as the Party Defendant or Defendants shall be had, or otherwise appear in Court, by Force of any Arrest or Attachment had and returned, and in all other Courts, at the next Sessions or Court to be holden after such Arrests or Attachment, and Appearance of the Party Defendant or Defendants, whereas the said Party Defendant or Defendants shall be compelled or ought to appear (unless a further Day shall be specially given by the Discretion of the Court from whence any Precept, Proceſs or Attachment shall be awarded) put and exhibit his Bill or Declaration against such Person or Persons as so by his Suit and Means shall be attached or arrested, into such Court where the Party by such Attachment or Arrest is compelled or ought to appear; or if any such Person or Persons, at whose Suit or Means any such Attachment or Arrest of any Person or Persons shall be so had and made, after his Declaration, Bill or Plaint exhibited, do not from thenceforth prosecute the same his Suit with Effect, or shall suffer the same to be discontinued, or shall after be nonsuit in the same, or willingly and apparently to the same Court, shall, for Vexation of the Defendant in such Suit, delay the same Suit; that then in every such case the Judge or Judges of every such Court before whom any Person or Persons shall be so sued, molested or troubled by Occasion

Where Plaintiff delays, discontinues or is nonsuit.

Costs, &c.

Arresting any Person at the Suit of another not knowing thereof, or without his Consent.

Imprisonment.

Costs.

Penalty.

Remedy to recover Costs, &c.

Occasion or Mean of such Attachment or Arrest, or by such Suit or Suits, shall forthwith by his or their Discretion, from Time to Time, as he or they shall see or perceive any such Default or Delay in the Party that caused or procured any such Attachment or Arrest to be had, award and judge to every such Person or Persons, which after the said First Day of *January* shall be so attached, arrested, molested, vexed or troubled, his Costs, Damages and Charges, by any Means sustained by Occasion of any such Attachment, Arrest or Suit so had and taken against him, to be paid by such Person or Persons that do, doth or shall cause or procure any such Attachment or Arrest to be so had or made.

IV. And if any Person or Persons at any Time after the said First Day of *January* shall by any Way or Mean, maliciously, or for Vexation and Trouble, cause or procure any other Person or Persons to be arrested, or attached to answer in any the Courts or Places aforesaid, at the Suit or in the Name of any Person or Persons, where indeed there is no such Person or Persons known, or without the Assent, Consent or Agreement of such Person or Persons, at whose Suit or in whose Name such Arrest or Attachment is or shall be so had and procured, that then every such Person and Persons, that shall so cause or procure any such Arrest or Attachment of any other Person or Persons to be had or made for Vexation or Trouble, as is aforesaid, and shall thereof be convicted or lawfully accused by Indictment, Presentment, or by the Testimony of Two sufficient Witnesses or more, or other due Proof, shall for every such Offence by him or them committed, done or procured, have and suffer Imprisonment of his or their Body or Bodies by the Space of Six Months without Bail or Mainprize: And before he or they shall be delivered out of Prison, shall pay unto the Party or Parties so arrested or attached by his or their Means or Procurement, treble the Costs, Charges, Damages and Expences that he or they shall be put unto by Reason or Occasion of such Arrest or Attachment so had; and shall also forfeit and pay unto such Person or Persons, in whose Name or at whose Suit he or they shall so procure such Arrest or Attachment to be had or made, if then there shall be any such Person known, the Sum of Ten Pounds for every such Offence.

V. And be it further enacted by the Authority aforesaid, That every Person and Persons to whom any Costs, Charges, Damages, Forfeiture or Payment of any Sum or Sums of Money by Authority of this Act shall be awarded, judged or forfeited, shall and may at all Times hereafter have his or their Remedy for the Recovery thereof, by Action of Debt, Bill or Plaint, in any Court of Record against such Person or Persons, their Heirs, Executors or Administrators, as should or ought to pay the same by Virtue or Force of this Act; in which Action, Bill or Plaint, no Essoin, Protection or Wager of Law shall be admitted or allowed to any the Defendant or Defendants in the same.

C A P. III.

An Act against carrying over Sea, Rams, Lambs and other Sheep alive.

[*Repealed, and other Provisions made, 28 G. 3. c. 38.*]

C A P. IV.

An Act to take away the Benefit of Clergy from certain felonious Offenders.

WHERE a certain Kind of evil disposed Persons, commonly called Cut-purses or Pick-purses, but indeed by the Laws of this Land, very Felons and Thieves, do confeder together, making among themselves as it were a Brotherhood or Fraternity of an Art or Myſtery, to live idly by the ſecret Spoil of the good and true Subjects of this Realm; and as well at Sermons and Preachings of the Word of God, and in Places and Time of doing Service and Common Prayer in Churches, Chapels, Cloſets and Oratories, and not only there, but alſo in the Prince's Palace, Houſe, yea and Preſence, and at the Places and Courts of Juſtice, and at the Times of Miniſtration of the Laws in the ſame, and in Fairs, Markets and other Aſſemblies of the People, yea and at the Time of doing of Execution of ſuch as been attainted of any Murder, Felony or other criminal Cauſe, ordained chiefly for Terror and Example of Evil-doers, do without Reſpect or Regard of any Time, Place or Perſon, or of any Fear or Dread of God, or any Law or Punishment, under the Cloak of Honesty by their outward Apparel, Countenance and Behaviour, ſubtilly, privily, craftily and feloniously take the Goods of divers good and honeſt Subjects from their Perſons, by cutting and picking their Purſes and other felonious Sleights and Devices, to the utter Undoing and Impoveriſhing of many:

II. Be it therefore enacted by the Authority of this preſent Parliament, That no Perſon or Perſons which hereafter ſhall happen to be indicted or appealed for felonious taking of any Money, Goods or Chattels from the Perſon of any other, privily without his Knowledge, in any Place whatſoever, and thereupon found guilty by Verdict of Twelve Men, or ſhall confeſs the ſame upon his or their Arraignment, or will not answer directly to the ſame according to the Laws of this Realm, or ſhall ſtand wilfully or of Malice or obſtinately mute, or challenge peremptorily above the Number of Twenty, or ſhall be upon ſuch Indictment or Appeal outlawed, ſhall from henceforth be admitted to have the Benefit of his or their Clergy, but utterly be excluded thereof, and ſhall ſuffer Death in ſuch Manner and Form as they ſhould if they were no Clerks. Privately ſtealing.

[*Repealed and other Proviſions, 48 G. 3.*

c. 129. § 1.]

III. And alſo whereas divers Perſons do oft-times commit and do divers and ſundry deteſtable Murders, heinous Robberies and Felonies and other capital Offences, for the which Clergy is not allowable by the Laws and Statutes of this Realm, and after the ſame Offences ſo done either fly out of the County or other Parts of this Realm into the Parts beyond the Seas, or keep themſelves ſecret in other Places where they are not known for a great Time, and after happen to commit ſome other Felony for the which they may have their Clergy, and being arraigned for the ſame have their Clergy to them allowed, and thereupon committed to the Cuſtody of the Ordinary according to the Law and Cuſtom of this Realm, the former Offence wherein Clergy is not grantable being not then known; and ſo by that Means cannot after be impeached for the ſaid other horrible and great Offences

‘ Offences by the Law and Custom of this Realm, to the great
 ‘ Encouraging of Offenders using such Practices of Foreknowledge
 ‘ and set Purpose, for their Discharge of the same.’

Arraigned for a
 former Offence,
 to have Clergy
 for a latter.

IV. For Reformation whereof, Be it further enacted by the Authority aforesaid, That every Person or Persons which shall hereafter upon his and their Arraignment for any Felony be admitted to the Benefit of his Clergy by the Laws of this Realm, and delivered to the Ordinary for the same, and shall make his due Purgation for the same Offence or Offences whereupon he was so admitted to his Clergy, and shall before the same Admission to his Clergy have committed any other such Offence whereupon Clergy by the Laws or Statutes of this Realm is not allowable, and not being thereof before indicted and acquitted, convicted or attainted, or pardoned, shall and may be indicted or appealed for the same, and thereupon put to Answer, and ordered and used in all Things according to the Laws and Statutes of this Realm, in such like Manner and Form as though no such Admission of Clergy had been; any Law, Custom or Usage to the contrary notwithstanding.

C A P. V.

An Act for the Abridgment of Appeals in Suits of Civil and Marine Causes.

Sentence definitive by Delegates appointed by Commission, final.

‘ FOR the Avoiding as well of long and tedious Suits, as also
 ‘ of great Charges and Expences in prosecuting of Civil and
 ‘ Marine Causes, by reason of divers Appeals permitted to be
 ‘ made by Order of the Laws Civil in such Causes, and to the In-
 ‘ tent that as well Strangers, as also others the Subjects of this
 ‘ Realm, that shall have Cause of Suit in those Matters, may have
 ‘ such Expedition in the same as their Natures and Qualities do
 ‘ require,’ Be it enacted by the Queen’s Majesty our Sovereign
 Lady, the Lords Spiritual and Temporal, and the Commons, in
 this present Parliament assembled, and by the Authority of the
 same, That from the last Day of this present Session of Parliament,
 all and every such Judgment and Sentence definitive, as shall be
 given or pronounced in any Civil and Marine Cause, upon Appeal
 lawfully to be made therein to the Queen’s Majesty in her High-
 ness Court of Chancery, by such Commissioners or Delegates as
 shall be nominated and appointed by her Majesty, her Heirs or
 Successors, by Commission under the Half Seal, as it hath been
 heretofore used in such cases, shall be final, and no further Ap-
 peal to be had or made from the said Judgment or Sentence defini-
 tive, or from the said Commissioners or Delegates for or in the
 same; any Law, Usage or Custom to the contrary notwithstanding.

Half Seal.

C A P. VI.

An Act touching Clothworkers, and Cloths ready wrought to be shipped over the Sea.

FOR the better Employment and Relief of great Multitudes of the Queen’s Subjects, using the Art and Labour of Clothworking, It may please the Queen’s most excellent Majesty, at the most humble Suits of her said Subjects, that it be enacted;

II. And be it enacted by Authority of this present Parliament, That from henceforth for every Nine Clothes unwrought, hereafter

Clothes unwrought, transported, regulated.

to be shipped or carried into any the Parts beyond the Seas, contrary to the Form of any Statute heretofore made and now remaining in Strength, by Force of any Licence hereafter to be granted, the Party that shall ship and carry over the same, shall ship and carry over also one like Woollen Cloth of like Sort, Length, Breadth and Goodness, ready wrought and dressed; that is to say, rowed, barbed, first coursed and shorn from the one End to the other, so that every Tenth Cloth passing over the Seas in Form aforesaid, may and shall be dressed within this Realm, before the same shall be shipped or transported over, upon Pain to forfeit for every such Nine Clothes so to be shipped or transported contrary to the Meaning of this Act, Ten Pounds.

Penalty.

III. Provided always, That every such Tenth Cloth so to be transported ready wrought, shall not be accounted any of the Clothes permitted to be transported by Force of such Licence, but that such Person as shall have such Licence may transport according to such Licence the full Number of Clothes unwrought mentioned in the same Licence, over and above the Number of such Tenth Cloths which they shall be compelled to ship and carry over by Force of this Statute.

Tenth Cloth not included in Licence.

IV. And be it further enacted by Authority aforesaid, That from the last Day of *February* now next coming, no Person shall ship or carry into the Parts beyond the Seas, contrary to the Form of any Statute heretofore made, now remaining in Force, any Cloth commonly called *Kentish* Cloth or *Suffolk* Cloth, made or to be made in the Counties of *Kent* or *Suffolk*, unwrought and undressed within this Realm; that is to say, not rowed, barbed, first coursed and shorn; upon Pain to forfeit for every such Cloth, commonly called *Kentish* or *Suffolk* Cloth, made or to be made in either of the said Counties so to be shipped or transported contrary to the Form of this Statute, Forty Shillings.

Transporting Kentish or Suffolk Cloth.

Penalty.

V. And that no Licence for transporting of any Cloth or Clothes shall be construed or expounded to extend to any such *Kentish* or *Suffolk* Cloth, made or to be made in either of the said Counties to be from henceforth transported.

Licence.

VI. And that all the Forfeitures appointed by this Statute for transporting of Clothes shall be the one Moiety to the Queen's Majesty, her Heirs and Successors, and the other Moiety to the Master and Wardens of the said Company of Cloth-workers, to the Relief of the Poor of the said Company, to be recovered in any Court of Record, by Action of Debt, Bill, Plaint or Information, wherein no Effoin, Protection or Wager of Law for the Defendant shall be admitted or allowed.

Penalties how disposed.

C A P. VII.

An Act touching Drapers, Cottoners and Frizers in the Town of *Shrewsbury*.

FORASMUCH as in the Town of *Shrewsbury* in the County of *Salop* there hath been Time out of Mind of Man, and yet is, a Company, Fraternity or Guild of the Art and Mystery of Drapers, which said Company, Fraternity or Guild, hath been by a great Time lawfully incorporated and made a Body Politick: Which said Corporation and Fraternity hath by reason of a certain Trade and Occupation of buying and selling of *Wolfe*

• Cloth and Lining, commonly called Cottons, Frizes and Plains, which they have had and used amongst them, been able not only to live thereby, but also have at their common Costs provided Houses and other Necessaries for poor People within the said Town of *Sbrawsbury*, whom also with further Relief they do weekly help and maintain: And by the same their Trade aforesaid have used most commonly to set on Work above Six hundred Persons of the Art or Science of Sheermen or Frizers, within the said Town of *Sbrawsbury*, whereby as well they, as their poor Wives and Families, are wholly maintained and kept: To the Impeachment and Hindrance of which said Trade divers Artificers, and other Persons within the said Town of *Sbrawsbury*, not being of the said Company or Mystery, nor brought up in the Use of the said Trade, have of late with great Disorder, upon a meer covetous Desire and Mind, intromitted with and occupied the said Trade of buying *Welsh* Cloth or Lining, having no Knowledge, Experience or Skill in the same; by reason whereof the said ignorant and unskilful Persons have and do buy commonly and daily such *Welsh* Cloth and Linings as is defective, and not truly made according to the good Laws and Statutes of this Realm in that Behalf provided: By Means whereof the said Trade is greatly decayed and discredited, to the great Loss and Hindrance of such poor Sheermen and Frizers as were wont to be set on Work thereby, and of all others that were wont to be maintained and relieved by the said Trade, as well in making as working of the said Frizes, Cottons and Plains, and to the great Deceit, Damage and Hindrance of all the Queen's Majesty's Subjects that buy and provide the same, and to the Slander and Discredit of the said Commodities in Foreign Parts, where by the Occasion aforesaid they are grown out of Estimation and Credit.

A & S P. & M.
c. 5.

• II. And where moreover in the Parliament holden at *Westminster* in the Fourth and Fifth Years of the Reign of our late Sovereign Lord and Lady King *Philip* and Queen *Mary* (a), upon good and deliberate Advice, amongst other Things it was enacted, That no Person or Persons which should buy to sell again, by way of Retail or otherwise, any of the said *Welsh* Linings, should dress or work, or cause to be dressed and wrought within his or their Dwelling House or Houses, or in any other Place by himself or his Servant, any of the said *Welsh* Linings, but should put the same to some such Person or Persons as should be of the Art or Science of Sheermen, Cottoners or Frizers, to be by them wrought and dressed, upon Pain of Forfeiture for every *Welsh* Cloth or Lining frized or cottoned to the contrary, Six Shillings and Eight pence, as in the same Act doth appear: Sithence which Time divers Persons for the defrauding of the said Statute have caused others to buy the said Frizes, Cottons and Plains, and then to take the Workmanship thereof unto themselves of such Buyers, using the like Fraud by buying and turning Work over unto the same Persons of whom they receive Work, to the manifest defrauding of the good Intent and Meaning of the said Statute: (a) [Repealed, 49 G. 3. c. 109. § 1.]

What Person
only shall occupy
the Trade of
buying of *Welsh*
Cottons, &c.

• III. For Remedy whereof, and for the Benefit and Relief of the poor Men that be Sheermen and Frizers, be it enacted by the Authority of this present Parliament, That from and after the Feast of *Easter* next ensuing no manner of Person or Persons whatsoever, inhabiting

inhabiting and dwelling within the said Town of *Shrewsbury*, or the Liberties and Franchises of the said Town, other than such as have or shall have served as Apprentices in the said Occupation and Science of Drapers, or be or shall be free of the said Science or Mystery, shall occupy, use, exercise or frequent the said Trade, Art, Mystery or Science of buying of the said *Welsh* Cloth or Lining, Cottons, Frizes and Plains, nor have any Factor or Doer for him or them in the same, nor by any Colour, Engine or Fraud, be any Occupier of the said Frizes, Cottons and Plains, upon Pain that every Person and Persons inhabiting as is aforesaid, and occupying, using or exercising the said Trade, Occupation or Science of buying of *Welsh* Cloth and Lining, and not authorized by this present Act, shall lose and forfeit for every Piece of the same Clothes so bought, Six Shillings and Eight pence.

Penalty.

[Repealed, 14 Eliz. c. 12. § 3]

IV. And over that, be it further enacted, That no Person dwelling and inhabiting as is aforesaid, and using and occupying the said Trade of buying of Frizes, Cottons or Plains, shall use or exercise the Faculty of Frizing or Cottoning, upon Pain to incur such like Forfeitures for every Offence, as is above mentioned: The Moiety of all which Pains and Forfeitures above mentioned shall be to our Sovereign Lady the Queen, her Heirs and Successors, and the other Moiety to such Person and Persons as will sue for the same, in any Court of Record, by Action, Bill or Plaint of Debt; wherein no Protection, Effoin, Injunction or Wager of Law shall be allowed and admitted.

Trader in buying Frizes, &c. shall not exercise the Faculty of Frizing, &c.

V. Provided always, and be it further enacted by the Authority aforesaid, That this present Act, or any Thing, Sentence or Matter therein contained, shall not extend or be in any wise prejudicial or hurtful to any such Person or Persons as have heretofore used, occupied or frequented the said Trade, Art, Mystery or Science of buying or selling of *Welsh* Clothes or Linings aforesaid, but that every such Person or Persons which hath or have used the said Trade or Science as is aforesaid, shall and may have and enjoy the like Benefit, Commodity and Advantage, as well in buying and selling the said *Welsh* Clothes and Linings as otherwise, in as large, free and ample Manner and Form, as if this Act had never been made.

Proviso.

VI. And further, to the Intent the said poor Sheermen, Frizers and Cottoners, may be the better relieved and maintained, Be it enacted by the Authority aforesaid, That all and every Person and Persons occupying and using, or which hereafter at any Time shall occupy or use, the said Trade, Science or Art of Buying and Selling of *Welsh* Cloth and Linings aforesaid, and shall from the Feast of *Easter* next ensuing deliver any *Welsh* Cloth or Linings aforesaid to be cottoned, frized, dressed or wrought, to any Sheerman, Cottoner or Frizer, shall deliver, content and pay to the said Sheerman, Cottoner or Frizer, ready and present Money for all his said Work, without any Colour, Fraud or Engine whatsoever, and shall not deliver any Ware or other Thing whatsoever in Contention or Satisfaction of his said Work or any Part thereof; upon Pain that every Person offending in this Behalf shall forthwith lose all such Liberties, Freedoms and Privileges, which he hath or shall have as one of the said Company, Fraternity or Guild of the said Art and Mystery of Drapers, and also shall for ever after be ut-

Buyers, &c. of Welsh Cloth shall pay their Sheermen in ready Money.

Penalty.

terly disabled and excluded to use, occupy or enjoy, by himself or by any other for him, or to his Use, the said Trade, Art, Mystery or Science of Buying or Selling of *Wells* Cloths or Linings; this Act, or any other Matter or Thing whatsoever to the contrary in any wise notwithstanding.

C A P. VIII.

An Act for the Repeal of a Branch of a Statute made Anno 32 H. 8. for the Statute of Horses within the *Ile* of *Ely*, and other Places confining thereunto.

32 H. 8. c. 13.
§ 2.

‘ WHERE at a Parliament holden at *Westminster* the Two and
 ‘ thirtieth Year of the Reign of the most victorious Princee
 ‘ of famous Memory, King *Henry* the Eighth, most dear Father
 ‘ unto the Queen’s most excellent Highness, our Sovereign Lady
 ‘ that now is, amongst other Things it was ordained, established
 ‘ and enacted by the said late King, with the Assent of the Lords
 ‘ Spiritual and Temporal, and the Commons, of the same Parlia-
 ‘ ment assembled, for the Increase and Breed of greater and
 ‘ stronger Horses from thence after to be had within this Realm
 ‘ of *England*, That no Commoner or Commoners within any Fo-
 ‘ rest, Chase, Moor, Marish, Heath, Common or waste Ground,
 ‘ nor any Officer or Officers of or within any of the said Forests
 ‘ or Chases, nor any other Person or Persons whatsoever be or they
 ‘ be, at any Time after the last Day of *March*, which should be
 ‘ in the Year of our Lord God One thousand five hundred and
 ‘ forty three then next following the Session of the same, should
 ‘ have or put to pasture into or upon any such Ground, Forest,
 ‘ Chase, Moor, Marish, Heath, Common or waste Ground, any
 ‘ stoned Horse or Horses being above the Age of Two Years, and
 ‘ not being of the Altitude and Height of Fifteen Handful, to be
 ‘ measured from the lowest Part of the Hoof unto the higher
 ‘ Part of the Wither, and every Handful to contain Four Inches
 ‘ of the Standard, to pasture, feed or to be nourished in or upon
 ‘ any of the said Forests, Chases, Commons, Moors, Marishes,
 ‘ Heaths or waste Grounds, within any of the Shires and Terri-
 ‘ tories of *Norfolk*, *Suffolk*, *Cambridge*, *Buckingham*, *Huntington*,
 ‘ *Essex*, *Kent*, *Southampton*, *Northwiltshire*, *Oxford*, *Bark*, *Worcester*,
 ‘ *Gloucester*, *Somerset*, *North Wales*, *South Wales*, *Bedford*, *Warwick*,
 ‘ *Northampton*, *Yorkshire*, *Cheshire*, *Stafford*, the County of the City
 ‘ of *York*, the Town and Liberties of *Gloucester*, the County of the
 ‘ Town of *Kingston* upon *Hull*, the County Palatine of *LANCASTER*,
 ‘ the County of *Salop*, *Leicester*, *Hereford* and *Lincoln*, or within
 ‘ any of them; nor shall put to feed or pasture any stoned Horse
 ‘ or Horses, being above the said Age of Two Years, and not
 ‘ being in Height of Fourteen Handful to be measured as is
 ‘ abovesaid, within or upon any like Ground or Grounds as hath
 ‘ been above-written, lying or being within any other Shire of this
 ‘ Realm, neither yet any of them, upon Pain of Forfeiture and
 ‘ Loss of the said Horse or Horses which should be found in or
 ‘ upon any such Ground, Forest, Chase, Moor, Marish, Heath,
 ‘ Common or waste Grounds, at any Time after the said last Day
 ‘ of *March*, which was in the Year of our Lord God One thou-
 ‘ sand five hundred and forty three, contrary to the Form of the
 ‘ said late Estatute, and further as by the said Estatute more fully
 ‘ and

* and at large may appear: By reason whereof, and since which
 * Time, divers and sundry great and manifold Hurts, Hindrances
 * and Losses have happened and chanced as well to the Inhabitants
 * of the Moors, Marshes and Fen-Grounds within the *Isle of Ely*,
 * situate, lying and being in the said County of *Cambridge*, as also
 * to the Inhabitants of other the Moors, Marshes and Fen-
 * Grounds within the said Shire, together with the Counties of
 * *Huntington, Northampton, Lincoln, Norfolk and Suffolk*, next ad-
 * joining and bordering upon the same Isle: For that the said
 * Moors, Marshes and Fen-Grounds, because of the Rottenness,
 * Unfirmness, Moisture and Waterishness, were never able ne yet
 * are to breed, bear or bring forth such great Breed of stoned
 * Horses, of such Bigness and high Stature as within the aforesaid
 * Statute are expressed, without Danger and Peril of the Mireing,
 * Drowning and Perishing of the same: Whereupon many Pro-
 * moters taking Occasion by Reason of the aforesaid Estatute,
 * have as well entred into the said Isle, as also other the Moors,
 * Marshes and Fen-Grounds, in all the Country next bordering
 * and adjoining unto the same, and taken away by Virtue and Pur-
 * vey of the said Estatute from divers poor Men, not being able
 * otherwise to remedy the same, their Horse, not being com-
 * parable of like Stature to the said Estatute, as well to the
 * great Loss and Hindrance of all the Breed of Horses there, no
 * Man daring to put any such forth on the said Grounds, for Fear
 * of such Persons; as also to the utter Subversion and Decay of
 * all the Tillage and Carriage within the said Isle and others the
 * Countries round about the same, in Time to come:’

II. For Reformation and Redress whereof, be it enacted by the
 Queen our Sovereign Lady, the Lords Spiritual and Temporal,
 and the Commons. of this present Parliament assembled, and by
 the Authority of the same, That as much of the aforesaid Estatute
 made in the said Two and thirtieth Year of King *Henry the Eighth*,
 or yet any Part, Branch or Article or any Parcel thereof, touching
 or concerning any the Marshes and seggy Fen-Grounds within
 the said Isle, situate, lying and being in the said County of *Cam-*
bridge, together with all other the Marshes and seggy Fen-
 Grounds within the said Shires of *Cambridge, Huntington, North-*
ampton, Lincoln, Norfolk and Suffolk, shall be from henceforth ut-
 terly repealed, frustrate, void and of none Effect in the Law; any
 Thing in the said former Act expressed to the contrary notwith-
 standing.

32 H. 8. c. 13. in
part repealed.

III. Nevertheless be it ordained and enacted by the Authority
 of this present Parliament, That no Person or Persons, whatsoever
 he or they be, at any Time after the last Day of *March* next
 coming, shall have or put to pasture into or upon any Marsh or
 seggy Fen-Ground within the said Isle of *Ely*, or into or upon any
 Marsh or seggy Fen Grounds within the said Counties of *Cam-*
bridge, Huntington, Northampton, Lincoln, Norfolk and Suffolk, or any
 of them, any stoned Horse or Horses, being above the Age of
 Two Years, and not being of the Altitude and Height of Thirteen
 Handful, to be measured from the lowest Part of the Hoof of the
 Forefoot, unto the higher Part of the Wither, and every Handful
 to contain Four Inches of the Standard, to pasture, feed or to be
 nourished in or upon any the said Marshes or seggy Fen-Grounds

Height of Horses
feeding in the
Isle of Ely, &c.

within the said Isle, and within the said Counties of *Cambridge, Huntington, Northampton, Lincoln, Norfolk and Suffolk*, or any of them, upon such and the like Pain as by the said former Act is limited and expressed,

C A R. IX.

An Act to repeal a Branch of a Statute made Anno 23 H. 8. touching the Prices of Barrells and Kilderkins.

23 H. 8. c. 4. § 3.

IN their most humble wise shewn unto the Queen's most excellent Majesty, and unto the Lords Spiritual and Temporal, and unto the Commons, in this present Parliament assembled, the Coopers of the City of *London*, and of all other Cities and Towns within this Realm of *England*, That where in the Parliament holden by Prorogation at *Westminster* the Fifteenth Day of *January*, in the Three and Twentieth Year of the Reign of the late King of famous Memory King *Henry* the Eighth, Father to our said Sovereign Lady the Queen's Highness that now is, there was one Statute made and enacted, intituled, *An Act that no Brewers of Beer or Ale shall make their Barrells, Kilderkins nor Firkins within them; and how much the same Barrells, Kilderkins and Firkins shall contain*: In which Statute, amongst other Things therein contained, it is enacted, That no Artificer of the Coopers shall inhaunce the Prices of any such Barrells, Kilderkins, Firkins or other Vessels, in the Sale of them to any Ale Brewer or Beer Brewer, or other Person, as in the said Act are mentioned, but should keep the Rates of such Prices as in the same Act are expressed, and not above; upon Pain to forfeit for every Barrell, Kilderkin and Firkin defective or inhaunced in Price, in any Point contrary to the said Act, Three Shillings and Four pence; (that is to say), for every Beer Barrell Nine pence, for every Beer Kilderkin Five pence, and for every Beer Firkin Three pence; and the Ale Barrell Sixteen pence, the Ale Kilderkin Nine pence, and the Ale Firkin Five pence, as by the same Act. amongst divers other Things therein contained, more fully and at large doth and may appear; since which Time, the Cloveboard and Stuff whereof the said Vessels and the Hoops thereof should be made, are risen and grown to such excessive Prices, that such as do make the said Vessels cannot make and sell any such Barrells, Kilderkins, Firkins or other Vessels, at the Prices expressed in the said Estatute, but to their great Loss and Hinderance, whereby the Mystery, Trade and Faculty of the said Coopers is utterly overthrown, to the Impoverishment and utter Undoing of them, their Wives, Children and Families, as is most evident;

II. Forasmuch as at the Time of the making of the said Estatute, the Coopers might have bought a Thousand of Barrell Boards for Twelve Shillings or Thirteen Shillings and Four pence, and a Thousand of Kilderkin Boards for Nine Shillings or Ten Shillings, and a Load of Hoops for Nine Shillings or Ten Shillings, and now a Thousand of Barrell Boards cannot be bought under Three and Thirty Shillings and Four pence, and Forty Shillings, and a Thousand of Kilderkin Boards under Six and Twenty Shillings and Eight pence, and a Load of Hoops under Three and Thirty Shillings and Four pence, and Forty Shillings, as is right well and notoriously known:

III. Be

III. Be it therefore enacted by the Queen's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That as much of every Article, Clause and Sentence comprised in the said Estatute made in the said Three and Twentieth Year of the Reign of the said late King, as doth touch and concern the Prices of Barrels, Kilderkins, Firkins and other Vessels, and all and every Pain and Forfeiture expressed and declared in the said Act, for selling of any of the said Kind of Vessels above the Prices before specified, from the Time of new Prices to be set in Form hereafter expressed, for such Places only as the same new Prices shall be set, shall be clearly repealed, frustrate and made void.

23 H. 2. c. 4. in Part repealed.

IV. And that from henceforth the Prices of all Barrels, Kilderkins, Firkins and other Vessels to be sold for Ale, Beer or Soap to be uttered therein, shall be rated and taxed by Mayors, Bailiffs and other Head Officer or Officers of every City and Town Corporate, where any such Vessels shall be made or offered to be sold.

Rate of Prices of Vessels.

V. And where such Vessels shall be made or sold out of any City, Borough or Town Corporate, the Prices thereof shall be rated and taxed by the Justices of the Peace, or the more Part of them, being present in the General Quarter-Sessions yearly next after *Easter*, at such reasonable Prices as they shall think reasonable by their Discretion; the said Estatute made in the said Three and Twentieth Year of the Reign of the said late King *Henry* the Eighth, or any other Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

VI. And be it further enacted, That if the said Coopers, or any of them, shall not make Sale according to such Prices as shall be rated as is aforesaid, after Proclamation thereof made, that then every Person or Persons so offending, shall for the same incur the Pains and Forfeitures mentioned in the said Estatute made the said Three and Twentieth Year of the Reign of the said late King; that is, to wit, for every Barrel, Kilderkin and Firkin which shall be sold at greater Price than shall be rated and taxed as is aforesaid, the Sum of Three Shillings and Four pence of lawful Money of *England*, whereof the one Moiety to be to the Queen's Highness, her Heirs and Successors, and the other Moiety to such Person or Persons as will sue for the same by Action of Debt in any Court of Record, wherein no Protection, Essoin or Wager of Law shall be allowed or admitted.

Coopers not selling Vessels at Prices rated.

Penalty.

C A P. X.

An Act for Bowyers, and the Prices of Bows.

EXP.

MOST humbly complaining, sheweth unto your Highness, and to your High Court of Parliament, your obedient Subjects the Bowyers, dwelling and inhabiting within the City of *London*, and the Suburbs of the same, That where in the Parliament of the late King of most famous Memory King *Henry* the Eighth, begun and holden at *Westminster* the Sixteenth Day of January, in the Thirty third Year of the Reign of the said late King, and there continued until the First Day of *April* then next following, there was one Act and Statute then made and provided, intituled, *An Act for the Maintenance of Artillery, and do-*

33 H. 2. c. 9. 55.

' *barring of unlawful Games*, in which Act and Statute amongst
 ' other Things there is one Branch contained and specified, the
 ' Tenor whereof is as hereafter followeth; that is to say, and to
 ' the Intent that every Person may have Bows of mean Price, be it
 ' enacted by the Authority aforesaid, that every Bowyer dwelling
 ' out of the City of *London*, shall after the Feast of the Purification
 ' of our Lady then next coming, for every Bow that he maketh of
 ' Yew, make Three other Bows meet to shoot in, of Elm, Witch-
 ' hazel, Ash, and other Wood, apt for the same, under the Pain
 ' to lose and forfeit for every such Bow so lacking Three Shillings
 ' and Four pence; and every Bowyer dwelling within the City and
 ' Suburbs of *London*, shall after the said Feast of the Purification
 ' of our Lady then next coming, for every Bow of Yew make Two
 ' other Bows apt for shooting, of Ash, Elm, Witchhazel, or other
 ' Wood, meet for the same, under like Pain and Forfeiture as by
 ' the said Statute more plainly it doth and may appear; and al-
 ' though the said Branch of the said Statute be needful and expedi-
 ' ent to remain and continue for such Bowyers as do dwell and
 ' inhabit in the Country, and other Places out of the City of
 ' *London*, and the Suburbs of the same; yet forasmuch as there
 ' be very few or no Bows of Elm, Witchhazel, or Ash, or of any
 ' other Wood than only of Yew, used or occupied by any Person
 ' within the said City and Suburbs of the same; therefore the
 ' said Branch of the said Act and Statute before rehearsed was
 ' not ne is needful to be had and made for the Bowyers dwelling
 ' within the said City and Suburbs; and yet nevertheless your said
 ' Subjects, for the avoiding of the Danger and Penalty contained
 ' in the said Branch, are daily enforced to make such great Num-
 ' ber of Bows of Elm, Witchhazel and Ash, that they cannot in
 ' convenient Time utter and sell the same, but are constrained to
 ' keep such Bows by them so made until they be putrified and not
 ' meet for any good Use or Purpose; by Reason whereof, much
 ' of the said Wood of Elm, Witchhazel and Ash, is daily wasted
 ' and consumed in making of the said Bows, and your said Sub-
 ' jects, by such Losses as they daily sustain in making such Bows,
 ' greatly impoverished, and the Commonwealth thereby nothing ad-
 ' vanced, but rather hindered; and where also in the several Sta-
 ' tutes of the noble King of famous Memory King *Edward* the
 ' Fourth, made in the xxii. Year of his Reign, and in the Third
 ' Year of the Reign of King *Henry* the Seventh, Grandfather to
 ' our said Sovereign Lady the Queen's Majesty, and in the said
 ' xxxiii. Year of the Reign of our said late Sovereign Lord King
 ' *Henry* the Eighth, Father to our said Sovereign Lady, there is
 ' mention made of the Prices of Bows, which at those several
 ' Times was appointed to be but Three Shillings and Four-pence,
 ' and not above, to sell the best; at which said Times, such Bows
 ' might well have been so sold to any Person or Persons, accord-
 ' ing to the Rates and Prices expressed in the said several Acts
 ' until now within these Twenty Years, the Prices of Bow staves
 ' have diversely been raised and enhanced from Five Pounds a
 ' Hundred to xii. li. or thereabouts, for which Causes the Prices
 ' contained in the said several Statutes cannot be observed; and
 ' yet your Majesty's said Subjects the Bowyers are presently in
 ' Danger of the said several Statutes concerning the Prices of
 ' Bows, which they humbly beseech your Majesty, with the Assent
 ' of

23 E. 4. c. 4.

3 H. 7. c. 13.

33 H. 8. c. 9.

‘ of your High Court of Parliament, may be released unto them,
 ‘ and the Penalties appointed for the same :’

II. Be it therefore enacted, ordained and established, by the Queen’s Majesty our Sovereign Lady, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Statutes of King *Edward* the Fourth, and King *Henry* the Seventh, concerning the Prices of Bows, and all the Branches contained in the said Statute of King *Henry* the Eighth, so far forth as the same extendeth to the Prices of Bows therein expressed only, from the First Day of this present Parliament, and so for ever, be thereby clearly repealed and made void and frustrate, to all Intents, Constructions and Purposes, and also all and every Clause and Sentence of the said Statute of King *Henry* the Eighth before recited, tending to the making of Bows of Elm, Witchhazel, Ash and other Wood, besides Yew before rehearsed, or any Penalty therein contained for any the said last rehearsed Premises, from henceforth for ever shall not be intended, construed or taken to extend to any Bowyer now dwelling or inhabiting, or which hereafter shall happen to dwell or inhabit within the Cities of *London* and *Westminster*, or the Suburbs of any of them, or in the Borough of *Southwark*, in the County of *Surrey*; the said Statutes, or any Thing in them, or any of them, contained in any wise to the contrary notwithstanding.

III. And be it further enacted by the Authority aforesaid, That all and every the said Bowyers within the said Cities and Suburbs of *London* and *Westminster*, and Borough of *Southwark*, shall from henceforth from Time to Time, and at all Times hereafter, provide and have in his or their Custody the Number of Fifty good and able Bows of Elm, Witchhazel or Ash, at the least, well and substantially made and wrought, upon Pain that every of the said Bowyers, which by the Space of Twenty Days shall not have in his Custody such Number of the said Bows of Witchhazel, Elm or Ash, ready made, and meet to be sold and used as aforesaid, shall hereafter for every Bow lacking of the Number aforesaid forfeit Ten Shillings, the one Moiety of which Forfeiture shall be to our said Sovereign Lady the Queen’s Majesty, and the other Moiety thereof shall be to him or them, using the Art of an Armourer, Fletcher, or Maker of Bowstrings, that will sue for the same, by Action of Debt, Bill, Plaint or otherwise, in any Court of Record, in which Action and Suit, no Protection or Wager of Law, shall in any wise be admitted or allowed for the Defendant.

IV. Provided always, and be it enacted by the Authority aforesaid, That if any Bowyer, after the First Day of *May* next coming, do sell any Bows meet for Men’s shooting, being outlandish Yew, and of the best Sort, over and above the Price of Six Shillings and Eight pence, or do sell any Bows meet for Men’s shooting being of a second Scr., over and above the Price of Three Shillings and Four pence, or shall sell any Bows meet for Men as is aforesaid, being of the coarse Sort called Livery Bows, for and above the Price of Two Shillings a-piece, or that shall after the said First Day of *May* sell any Bows being *English* Yew, over and above the Price of Two Shillings a-piece; that then the Seller or Sellers of such Bows shall forfeit for every
 Bow

Now to fold, over and above the Price aforesaid, Forty Shillings, the one Moiety thereof to the Queen's Majesty, her Heirs and Successors, and the other Moiety to the Party using the Art of an Armourer, Fletcher or Maker of Bowstrings, that will sue for the same in any Court of Record, by Action of Debt, Bill, Plaint or otherwise, wherein no Wager of Law, Essoign or Protection, shall be admitted or allowed; any Thing in this Act, or in any other Act contained to the contrary in any wise notwithstanding. This Act to continue until the last Day of the first Session of the next Parliament.

C A P. XI.

An Act for true making of Hats and Caps.

[*Repealed, 17 G. 3. c. 55. § 1.*]

C A P. XII.

An Act for the Aulnegers Fees in *Lancashire*, and for Length, Breadth and Weight of Cottons, Frizes and Rugs.

‘FORASMUCH as divers Clothiers inhabiting within the County Palatine of *Lancaster*, seeking inordinately their own singular Gains, have of late practised privily to convey and carry away out of the said County divers Cottons, Frizes and Rugs, there made to be sold, before such Time as the Queen's Aulneger of the said County hath fixed unto every such Cloth the Queen's Seal in that Behalf appointed, and sometime counterfeiting and setting to such their Clothes Seals of their own, minding thereby not only to defraud the said Aulneger of his accustomed Fees due to be paid to the Queen's Highness Use, for the sealing of every such Cloth, Cotton, Frize or Rug; but also to cover and hide the untrue and deceitful making of many of the said Clothes, contrary to the true Meaning of sundry good and wholesome Estatutes and Laws heretofore made, as well for the true making of the Clothes before said, as also for the searching, trying and sealing of the same, to the no little Prejudice and Damage of the said Aulneger, who standeth charged with the Payment of a great annual Farm to the Queen's Majesty for the said Aulnege, in Deceit of her Highness Subjects, and Discredit of the Commodity of the said Clothes:’

II. For Reformation whereof, be it enacted by our said Sovereign Lady the Queen, the Lords Spiritual and Temporal, and the Commons, of this present Parliament assembled, and by the Authority of the same, That no Person or Persons from and after the First Day of *April* next coming shall sell or put to Sale within the said County, or convey or carry, or cause to be conveyed and carried, out of the said County of *Lancaster*, any Kind of Clothes, Cottons, Frizes or Rugs, hereafter to be made within the said County Palatine of *Lancaster*, to be sold before such Time that the Owner or Maker of every such Cloth, Cotton, Frize or Rug, shall fix and put to, or cause to be fixed and put to every such Cloth, Frize, Cotton or Rug, one Seal of Lead, having the Mark of every such Owner or Clothier engraved on the one Side thereof, and the true Length of every such Cloth, Frize, Cotton or Rug, as it is found, being wet, to be engraved on the other Side of the said

No Cloth shall be sold before the Party and Aulneger have set to their Seals.

said Seal; and also the Queen's Highness Aulneger of the said County Palatine for the Time being, upon Trial of the Weight of every such Cotton, Frize and Rug, shall fix and put, or cause to be fixed and put to every such Cotton, Frize or Rug, the Queen's Highness Seal of Lead, having the Portcullis crowned engraven on the one Side thereof, and the true Weight of every such Cotton, Frize or Rug, to be engraven on the other Side of the same Seal, upon Pain of Forfeiture of all and every such Clothes, Cottons, Frizes and Rugs, conveyed, carried, sent, sold and put to Sale, or to the Intent to be sold, being unsealed, contrary to the Meaning of this present Act; the one Moiety thereof to the Use of the Queen's Highness, her Heirs and Successors, and the other Moiety thereof to such Person or Persons that shall seize the same Cloth, Cotton, Frize or Rug, or will sue for the same, to be recovered in any of the Queen's Highness Courts of Record, by Bill, Plaint, Information or otherwise, wherein no Essoign, Protection or Wager of Law shall be allowed for the Defendant.

Penalty.

III. And be it further enacted by the Authority of this present Parliament, That the said Aulneger, after the said First Day of April, shall appoint and have his lawful Deputy within every of the severall Towns of *Manchester, Rochdale, Bolton, Blackburn and Bury*, in the said County, where the said Aulneger hath been accustomed to have his Deputy heretofore, there to be ready upon lawful Request unto him made, without Delay, to weigh every of the said Cottons, Frizes and Rugs, as shall be brought unto every such Deputy, and sealed with the Seal of the Owner or Maker of every of the same Clothes, in Form aforesaid; and to fix and set to every of the said Clothes, Cottons, Frizes and Rugs, the Queen's Highness Seal before said, to be engraven in Manner and Form before mentioned, upon Pain of Forfeiture of Twenty Shillings for every Pack of Cottons, Frizes or Rugs sealed by the said Aulneger, or any of his said Deputies, before the same be weighed in Form aforesaid; the one Moiety whereof to be to the Use of the Queen's Highness, her Heirs and Successors, and the other Moiety thereof to him or them that will sue for the same in any of the Queen's Majesty's Courts of Record, by Bill, Plaint, Information, Action of Debt or otherwise; wherein no Wager of Law, Protection or Essoign shall be allowed.

Where Aulneges shall have his Deputies.

Penalty.

[Aulnage Duty taken away, 11 & 12 W. 3. c. 20. § 2.]

IV. Provided always, and be it enacted by the Authority aforesaid, That it shall be lawful for the said Aulneger, or his Deputy, to have and take of the Owner or Maker of every of the said Cloths, Cottons, Frizes or Rugs, for the weighing and sealing of every Pack of the said Clothes, Cottons, Frizes or Rugs, Three pence, and for every Piece of such coarse Clothes, Cottons, Frizes and Rugs, not amounting to a whole Pack, one Halfpenny, and the same to be paid by the Owner or Bringer of the said Clothes at the weighing and sealing of the same; any Custom, Use or Prescription to the contrary in any wise notwithstanding.

Fee of Aulneger.

[Aulnage Duty taken away, 11 & 12 W. 3. c. 20. § 2.]

V. And forasmuch as such Persons as commonly do use to utter and sell the said severall Kinds of Cottons, Frizes and Rugs, have been and are daily molested, vexed and troubled, to their great Loss and Hinderance, by Means of the Cruelty of Informers

and

and Searchers, seeking continually their own private Gain by finding of the said Cottons, Frizes and Rugs, at no Time made according to such Form of Weight, Lengths and Breadths, as by the former Statutes of this Realm lately made for the true making of Woollen Cloth is limited and appointed, and for that the same Persons do alledge, That the Makers of the said Cottons, Frizes and Rugs can by no means be reduced to observe the said Weights, Lengths and Breadths in making of the said Cottons, Frizes and Rugs, according to the Form of the said former Estatutes, without the utter Undoing of great Numbers of poor People that are commonly the Makers of such Kind of Clothes; and that by means hereof, the said Cottons, Frizes and Rugs, sithence the making of the said Estatutes, have been and are more scarce and dearer than they were before the making of the said Estatutes, and in nothing at all amended in Substance or Form of making:

Weight, &c. of Cottons.

Frizes or Rugs.

Penalty.

Penalty.

Former Acts void.

VI. For Reformation whereof, be it enacted, That from and after the First Day of *April* next coming, every of the said Cottons, being sufficiently milled or thicked, clean scoured, well wrought and fully dried, shall weigh Twenty one Pounds at the least, and shall contain in Length Twenty one Goads, or Twenty Goads at the least, and in Breadth at the most Three Quarters of the Yard, or within One Nail of Three Quarters of the Yard at the least; and that every of the said Frizes or Rugs being thicked and fully dried shall weigh Forty four Pounds at the least, and shall contain in Length betwixt Thirty five Yards and Thirty seven Yards, and shall contain in Breadth at the most Three Quarters of the Yard, or within One Nail of Three Quarters at the least, and not to be strained upon the Tentors above One Nail in Breadth; and also if any of the said Cottons, Frizes or Rugs, shall be of any greater Length than is before severally expressed, that then every Goad or Yard so exceeding the said several Lengths, shall weigh after such Rate as every Goad or Yard of such Cottons, Frizes or Rugs, containing the said several Lengths, shall or ought to weigh, upon Pain of Forfeiture for every Goad or Yard not weighing after such Rate, Twelve pence.

VII. And also if any of the said Cottons, Frizes and Rugs, shall be of less Weight than is before severally limited and appointed, that then all and every such Person and Persons that shall so sell, or offer to be sold, any such Cotton, Frize or Rug, shall forfeit for every Pound lacking under Three Pounds, Twelve pence; and for every Pound Weight lacking above Three Pounds, Five Shillings; the one Half of which Forfeitures shall be to our Sovereign Lady the Queen's Highness, her Heirs and Successors, and the other Half thereof to such Person or Persons that shall sue for the same by Action of Debt, Bill, Plaint or Information, in any of the Queen's Majesty's Courts of Record, wherein no Essoign, Protection or Wager of Law shall be admitted or allowed for the Defendant.

VIII. And further, be it enacted by the Authority aforesaid, That all and every Branch, Clause, Sentence and Article, specified and contained in any other Acts of Parliament before this Time made, concerning the sealing and making of the said Cottons, Frizes and Rugs, shall be from henceforth utterly repealed, void and

and of none Effect; any Thing in the said Acts contained to the contrary in any wise notwithstanding.

IX. Provided always, That this Act shall not in any wise extend to be prejudicial or hurtful unto any Charter or Liberty of any Borough or Corporate Town within the said County Palatine of *Lancaster*, concerning the making and putting to Sale of any Woollen Cloth; any Thing therein contained to the contrary notwithstanding.

*Proviso for
Towns Cor-
porate in Lan-
cashire.*

C A P. XIII.

An Act touching Sea-marks and Mariners.

WHEREAS the Master, Wardens and Assistants of the *Trinity-house of Deptford-Strond*, being a Company of the chiefest and most expert Masters and Governors of Ships, incorporate within themselves, charged with the Conduction of the Queen's Majesty's Navy Royal, are bound to foresee the good Increase and Maintenance of Ships, and of all kind of Men, traded and brought up by Water Craft, most meet for her Majesty's Marine Service; and forasmuch as by the destroying and taking away of certain Steeples, Woods and other Marks, standing upon the main Shores, adjoining to the Sea Coasts of this Realm of *England* and *Wales*, being as Beacons and Marks of ancient Time accustomed for Seafaring Men, to save and keep them and the Ships in their Charge from sundry Dangers thereto incident, divers Ships with their Goods and Merchandizes, in sailing from foreign Parts towards this Realm of *England* and *Wales*, and especially to the Port and River of *Tbames*, have by the Lack of such Marks of late Years been miscarried, perished and lost in the Sea, to the great Detriment and Hurt of the common Weal, and the perishing of no small Number of People:

II. For Remedy wherein to be had, be it enacted, established and ordained by the Queen's most Excellent Majesty, by the Consents of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the foresaid Master, Wardens and Assistants of the *Trinity-house at Deptford-Strond* aforesaid, being a Company incorporated as before, shall and may lawfully by virtue of this Act from Time to Time hereafter, at their Wills and Pleasures, and at their Costs, make, erect and set up such and so many Beacons, Marks and Signs for the Sea, in such Place or Places of the Sea Shores, and Uplands near the Sea Coasts, or Forelands of the Sea, only for Sea Marks, as to them shall seem most meet, needful and requisite, whereby the Dangers may be avoided and escaped, and Ships the better come unto their Ports without Peril.

*Trinity-house at
Deptford may at
their Costs erect
and maintain
Sea Marks, &c.*

III. And that all such Beacons, Marks and Signs so to be by them or their Assigns erected, made and set up, at the Costs and Charges of the said Master, Wardens and Assistants, shall and may be continued, renewed and maintained from Time to Time, at the Costs and Charges of the said Master, Wardens and Assistants; any Thing to the contrary hereof notwithstanding.

IV. And be it further ordained and enacted by the Authority aforesaid, That no Steeples, Trees or other Things now standing as Beacons or Marks for the Sea, whereof to the Owner or Occupier of the Place where the same doth grow or stand, before the *First Day of March* next coming, Notice shall be given by the

*Taking down
Sea Marks.*

Fetality.

Queen's Majesty's Letters under her Signet, shall at any Time hereafter be taken down, felled or otherwise cut down, upon Pain that every Person by whose Procurement or Consent such Offence shall be committed, shall forfeit the Sum of One Hundred Pounds, whereof the one Moiety to the Queen's Majesty, and the other Moiety to be to the Master, Wardens and Assistants of the said *Trinity-house*; and if the said Person or Persons so offending be not of the Value of One Hundred Pounds, then the same Person and Persons to be deemed convict of Outlawry *ipso facto*, to all Contradictions and Purposes.

Men licensed by Trinity-house may ply as Watermen on the Thames.

V. And further, be it enacted by Authority aforesaid, That all Mariners and Seafaring Men dwelling about the said River of *Thames*, being thereto licenced by the said Master, Wardens and Assistants, and having sufficient Certificate of such Licence from the said Master and Wardens, as well between their Voyages as at other Times, at their Wills and Pleasures, by force hereof, the better to keep and refrain themselves from Folly, Idleness and lewd Company, and for the Relief of them, their Wives and Children, shall and may freely and quietly exercise and row in their own Wherries or any other Men's Wherries by them to be hired, or wherein they shall be hired to work up and down the said River of *Thames*, to apply and follow the ordinary passing and carrying of the Queen's Majesty's People to and fro as other Watermen, commonly called Wherrimen, of the same River use and accustom to do, without Impeachment, Hinderance or Let to the contrary; and that such Seafaring Men shall not thereby be drawn under any other Government than under the said Master, Wardens and Assistants as they were before; any Act, Statute, Provision, Proclamation, Ordinance or Custom heretofore against the Premises ordained or made in any wise notwithstanding,

[*As to the Edystone*, 4 & 5 Ann. c. 20. *The Lighthouse on the Smalls*, 18 G. 3. c. 42.—*The Provisions of this Act extended to Vessels with Lights*, 48 G. 3. c. 104. § 61.]

C A P. XIV.

An Act touching Transporting of Tawed Leather.

§ Eliz. c. 22. § 1. **F**ORASMUCH as in one Act made in the First Session of this present Parliament, intituled, *An Act against the carrying of Sheep Skins and Pelts over the Sea, not being Staple Ware*, there is contained one Branch against the making of any Pelts by any Person, other than such as are permitted to make the same by the said Statute; the Execution of which Branch hath been put in Suspense, by reason that some other Parts of the same Statute are supposed to be against the Entercourse of the *Low Countries* of the King of *Spain* :

II. Be it therefore declared and enacted by the Authority of this present Parliament, That the said First Branch of the said Statute, being not against the said Entercourse, shall from henceforth be put in due Execution; and forasmuch as great Multitudes of the Queen's Majesty's Liege People have been set on work, by converting of Sheep Skins and Lamb Skins into tawed Leather and Parchment here within this Realm, which by one other Branch of the said Statute is prohibited to be transported out of the Realm in Leather; and where the converting of such Skins

Skins into Leather and Parchment hath been great Maintenance of many Thousands of the Subjects of this Realm, and greater daily will be, to the great Benefit of this Realm, if the said First Branch concerning making of Pelts be duly put in Execution, where otherwise if the said Pelts should be transported into other Realms, the same would be an Occasion of the impoverishing of many of the natural *English* People of this Realm; be it therefore enacted by Authority of this present Parliament, That so much of the said Statute as concerneth the transporting of tawed Leather to be made of Sheep Skins and Lamb Skins shall from henceforth, as touching only the transporting of such tawed Leather, be repealed and void; any Thing in the said Statute to the contrary notwithstanding.

5 Eliz. c. 12. in part repealed.

[See 13 & 14 Car. 2. c. 7.]

C A P. XV.

An Act for Preservation of Grain.

EXP.

“ 24 H. 8. c. 10. repealed, except as to that part thereof which
“ relates to the Use of Nets and Shrops for the Destruction of
“ Crows, &c. (a)

(a) [*Which appears to be now expired.*]

C A P. XVI.

An Act that in divers Counties there shall be but one Sheriff in one County.

‘ **W**HEREAS in the Counties and Shires of *Surry* and *Suffex*, *Effex* and *Heriford*, *Somerfet* and *Dorset*, *Warwick* and *Leicester*, *Nottingham* and *Derby*, *Oxon* and *Barks*, of long Time have had but one Sheriff to serve for Two of the said Counties: that is to say, One for *Surry* and *Suffex*, and One other for *Effex* and *Heriford*, and one other for *Somerfet* and *Dorset*, and one other for *Warwick* and *Leicester*, and one other for *Nottingham* and *Derby*, and one other for *Oxon* and *Barks*, the Occasion whereof in the beginning (as it should seem) was, for that every of the said several Counties were not then so well inhabited with Gentlemen of good Ability to serve in the said Office, as (Thanks be to God) they be at this present; and forasmuch as the Service and Charges of that Office of Sheriffwick of the said Counties, is more than in Times past it hath been, and is now commonly greater than one Sheriff is able to serve and supply; therefore such Gentlemen as do dwell in the said several Counties, are very desirous to have for every of the said Counties one Sheriff to be yearly made and appointed for the same; and for that the having of several Sheriffs accordingly, cannot be hurtful to any, but thereby may grow some Ease of Charges and Trouble to such as shall hereafter be appointed to such Office, and also the said Office better served and executed than heretofore hath been.’

II. Be it therefore enacted by the Authority of this present Parliament, That the Queen’s most Excellent Majesty, her Heirs and Successors, Kings or Queens of this Realm, shall and may from and after the First Day of *November*, which shall be in the Year of our Lord God One thousand five hundred threescore and

One Sheriff of every the Counties aforesaid.

and seven, yearly chuse and make for every of the said Counties before named, one sufficient and able Person to be Sheriff of the same, in such like Manner and Form as is and hath been used to be chosen, made and done for any other County or Shire within this Realm; any Law, Custom or Usage heretofore had or used to the contrary thereof notwithstanding; and that every Person which after the said First Day of *November* shall be made and appointed Sheriff for any of the said Counties, shall be accomptable and used in the Order of his Account, and all other Things and Allowance to him to be made, in the Court of Exchequer and all other Courts and Places, in such Manner and Form as is commonly used for Sheriffs in like Cases.

Severance of
Proffers of said
Sheriffships.

III. Provided always, and be it further enacted by the Authority aforesaid, That the Barons of the Queen's Highness, her Heirs and Successors, of the Court of Exchequer for the Time being, calling unto them as well her or their Grace's Officers of Remembrancer, and the Treasurer's Remembrancer, together with the Clerk of the Pipe of the same Court, as also the several Sheriffs, the which, next after the said First Day of *November*, shall be by her Highness, her Heirs and Successors, constituted, named and appointed of every of the said several Counties of *Surry* and *Sussex*, *Essex* and *Hertford*, *Somerset* and *Dorset*, *Warwick* and *Leicester*, *Nottingham* and *Derby*, *Oxon* and *Barks*, shall have by virtue of this Act of Parliament full Power and Authority to sever and divide by the Discretion and Judgment of the said Barons, all and singular the Proffers of the said Counties of *Surry* and *Sussex*, *Essex* and *Hertford*, *Somerset* and *Dorset*, *Warwick* and *Leicester*, *Nottingham* and *Derby*, *Oxon* and *Barks*; the which said Severance and Division of the said Proffers shall be entered of Record in the said Court of Exchequer, and shall be final and perpetual, during so long Time as this present Act of Parliament shall endure and have Continuance.

Tally of Reward
severed.

IV. And be it further enacted by the Authority aforesaid, That in such and the same Manner and Form as the said Proffers shall be divided, even so the Tail of Reward of every of the aforesaid Counties, where any Tail of Reward hereafter shall be taken, shall be severed and divided in Manner and Form aforesaid.

Order for Pay-
ment of Fees, &c.

V. And be it likewise further enacted by the Authority aforesaid, That the said Barons for the Time being, of the Queen's Highness said Court of Exchequer, and of her Heirs and Successors, calling unto them the said Officers of the Treasurer's Remembrancer, and the Clerk of the Pipe, shall have full Power and Authority from Time to Time to take Order and Appointment for the true and speedy Payment and Contentation of such Creation Money, Fees and Annuities, and all other Sums of Money as have been accustomed to have been paid, or of Right ought to have been paid, to any Person or Persons, by the Hands of the said several Sheriffs; and that such Order, Direction and Appointment so made, had and taken by the said Barons in Manner and Form last before recited, shall be observed, performed, fulfilled and kept yearly, as well by both the Sheriffs of the said several Counties of *Surry* and *Sussex* for the Time being, as by the said several Sheriffs for the Time being of the said Counties of *Essex* and *Hertford*, and of *Somerset* and *Dorset*, and of *Warwick* and *Leicester*, and of *Nottingham* and *Derby*, and of *Oxon* and

and *Barks*; any Usage, Law or Custom to the contrary in any wise notwithstanding.

VI. Provided always, and be it further enacted by the Authority aforesaid, That no Sheriff hereafter to be chosen and made of any one of the said Counties in this Act mentioned, shall pay in any Court of Record for any Duty belonging properly to the Office of Sheriff, any other Fees or Charges, than only the One Half of the Charges and Fees which he should be compelled to have paid, if he had been Sheriff of Two of the said Shires and Counties, as before the making of this Act was used; any Law, Usage or Custom to the contrary notwithstanding.

H-If the Charges paid by Sheriff-wicks divided.

VII. This Act to continue and endure unto the End of Three whole Years, to be accounted from the Feast of *All Saints* in the Year of our Lord God a Thousand five hundred three-score and seven, and from thence to the End of the next Parliament then next following the End of the said Three Years.

Continuance of Act.

[*Made perpetual, except as to Suffex and Surry, 13 Eliz. c. 22. § 2.*]

C A P. XVII.

An Act for Confirmation of a Subsidy granted by the Clergy. EXP.

C A P. XVIII.

An Act of the Queen's Majesty's Free and General Pardon.

C A P. XIX.

An Act of a Fifteen and Tenth, granted by the Temperalty. EXP.

[*Note, these last Three Acts are not numbered on the Roll.*]

C A P. XX.

An Act for repealing a Branch of the Statute made Anno 26 Hen. 8. touching Trial of Offences in the County of *Merioneth* in *North Wales*.

WHERE in the Parliament holden at *Westminster* in the Twenty sixth Year of the Reign of the late King *Henry* the Eighth, among other Things, it was enacted, That all Murders, Robberies, Felonies and other Felonious Offences, which should from that Time be committed in any Lordships Marchers, or other Place in *Wales*, might be enquired of, heard, tried and examined in the next *English* Shire thereunto adjoining; and also by one other Branch contained in the Statute, it is ordained, that such of the same Offences as should be committed within the County of *Merioneth*, one of the Three old Shires of *North Wales*, might at the Discretion of the Justices there, be inquired of, heard, tried and determined in the Counties of *Anglesey* and *Caernarvon*, being Two other Counties of *North Wales*, as by the same Act more plainly doth appear; and yet nevertheless in the Parliament holden at *Westminster*, in the Thirty fourth and Thirty fifth Year of the Reign of the said late King *Henry* the Eighth, by one Act and Statute there made touching certain

26 H. 8. c. 6. § 6.

§ 22.

34 & 35 H. 8. c. 26. § 86.

Ordinances in *Wales*, it is by one Branch thereof, among other Things, enacted and established, that all Offences, Murders, Robberies and other Felonies, which from thenceforth should be committed in the said County of *Merioneth*, should and might be inquired of, heard and determined before the Justices within the said County of *Merioneth*, or else in the County of *Salop*, being the next *English* County adjoining thereunto, in such Manner and Form as the like Offences committed in other the said Counties in *Wales* should or might be inquired of, heard and determined, as by the said Act more at large doth appear; by reason of which said several Branches contained in the said several Statutes, the said County of *Merioneth* standeth now not only chargeable to such like Trial in the next *English* Shire, for the said Offences as other Counties of *Wales* at this present be, but also by Force of the said Statute made in the said Twenty-sixth Year of the said King *Henry* the Eighth, the said County of *Merioneth* is also subject to such Enquiry and Trial to be had within the said Counties of *Caernarvon* and *Anglesey*, being both *Welsh* Shires, much to the Discredit of the Inhabitants of the said County of *Merioneth*, for that no other Counties of *Wales*, for such Offences, are chargeable with the like Trial:

26 H. 8. c. 6. § 12.

repealed.

II. Wherefore be it enacted by the Authority of this present Parliament, That so much of the said Act and Statute made in the said Twenty-sixth Year of the Reign of the said late King *Henry* the Eighth, as doth limit or appoint any of the said Offences before mentioned, committed within the said County of *Merioneth*, to be inquired of, tried, heard and determined within the said Counties of *Caernarvon* and *Anglesey*, or either of them, shall from henceforth be utterly repealed, void and of none Effect.

Anno decimo tertio Reginæ ELIZABETHÆ.
(A.D. 1570.)

STATUTES made in the Parliament begun and holden at Westminster the Second Day of April in the Thirteenth Year of the Reign of our most gracious and excellent Sovereign Lady, ELIZABETH, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. and there continued until the Dissolution of the same; viz.

C A P. I.

An Act whereby certain Offences be made Treason.

FORASMUCH as it is of some doubted, whether the Laws and Statutes of this Realm, remaining at this present in force, are available and sufficient enough for the Surety and Preservation of the Queen's most Royal Person, in whom consisteth all the Happiness

Happines and Comfort of the whole State and Subjects of the Realm; which Thing all faithful, loving and dutiful Subjects ought and will with all careful Study and Zeal consider, foresee and provide for; by the neglecting and passing over whereof with winking Eyes, there might happen to grow the Subversion and Ruin of the quiet and most happy State and present Government of this Realm, (which God defend), therefore at the humble Suit and Petition of the Lords and Commons in this present Parliament assembled, be it enacted, declared and established by Authority of the same Parliament, That if any Person or Persons whatsoever, at any Time after the last Day of *June* next coming, during the natural Life of our most gracious Sovereign Lady Queen *Elizabeth* (whom Almighty God preserve and bleſs with long and prosperous Reign over this Realm) shall, within the Realm or without, compass, imagine, invent, devise or intend the Death or Destruction, or any bodily Harm tending to Death, Destruction, Maim or Wounding of the Royal Person of the same our Sovereign Lady Queen *Elizabeth*; or to deprive or depose her of or from the Style, Honour or Kingly Name of the Imperial Crown of this Realm, or of any other Realm or Dominion to her Majesty belonging; or to levy War against her Majesty within this Realm or without, or to move or to stir any Foreigners or Strangers with Force to invade this Realm, or the Realm of *Ireland*, or any other her Majesty's Dominions, being under her Majesty's Obedience, and such Compasses, Imaginations, Inventions, Devices or Intentions, or any of them, shall maliciously, advisedly and expressly utter or declare by any Printing, Writing, Cyphering, Speech, Words or Sayings; or if any Person or Persons whatsoever, after the said last Day of *June*, shall maliciously, advisedly and directly publish, declare, hold Opinion, affirm or say by any Speech, express Words or Sayings, that our said Sovereign Lady Queen *Elizabeth* during her Life is not or ought not to be Queen of this Realm of *England*, and also of the Realms of *France* and *Ireland*; or that any other Person or Persons ought of right to be King or Queen of the said Realms of *England* and *Ireland*, or of any other her Majesty's Dominions being under her Majesty's Obedience during her Majesty's Life; or shall by Writing, Printing, Preaching, Speech, express Words or Sayings, maliciously, advisedly and directly publish, set forth and affirm that the Queen our said Sovereign Lady Queen *Elizabeth* is an Heretick, Schismatick, Tyrant, Infidel or an Ufurper of the Crown of the said Realms or any of them, that then all and every such said Offence or Offences, shall be taken, deemed and declared by the Authority of this Act and Parliament to be High Treason; and that as well the principal Offender or Offenders therein, as all and every the Abettors, Counsellors and Procurers to the same Offence or Offences, and all and every Aidors and Comforters of the same Offender or Offenders, knowing the same Offence or Offences to be done and committed in any Place within this Realm or without, being thereof lawfully and duly indicted, convicted and attainted, according to the usual Order and Course of the Common Laws of this Realm, or according to the Act made in the Thirty fifth Year of the Reign of the late King of famous Memory, King *Henry* the Eighth, Father of our said Sovereign Lady, intituled, *An Act concerning the Trial of Treasons committed out of the* 38 H. 8. c. 2
King's

King's Majesty's Dominions, as the Case shall require, shall be deemed, declared and adjudged Traitors to the Queen and the Realm, and shall suffer Pains of Death, and also forfeit unto the Queen's Majesty, her Heirs and Successors, all and singular Lands, Tenements and Hereditaments, Goods and Chattels, as in Cases of High Treason by the Laws and Statutes of this Realm at this Day of right ought to be forfeited and lost.

II. And be it also enacted by the Authority aforesaid, That all and every Person and Persons, of what Degree, Condition, Place, Nation or Estate soever they be, which shall after the End of Thirty Days next after the last Day of this present Session of this Parliament, at any Time in the Life of our Sovereign Lady Queen *Elizabeth*, in any wise claim, pretend, utter, declare, affirm or publish themselves or any of them, or any other than our said Sovereign Lady *Elizabeth* the Queen's Majesty that now is, to have Right or Title to have or enjoy the Crown of *England* during or in the Life of our said Sovereign Lady, or shall usurp the same Crown, or the Royal Style, Title or Dignity of the Crown or Realm of *England*, during or in the Life of our said Sovereign Lady; or shall hold and affirm that our said Sovereign Lady hath not right to hold and enjoy the said Crown and Realm, Style, Title or Dignity, or shall not after any Demand on our said Sovereign Lady's Part to be made, effectually acknowledge our said Sovereign Lady to be in right, true and lawful Queen of this Realm, they and every of them so offending shall be utterly disabled during their natural Lives, only to have or enjoy the Crown or Realm of *England*, or the Style, Title or Dignity thereof at any Time in Succession, Inheritance or otherwise, after the Decease of our said Sovereign Lady, as if such Person were naturally dead; any Law, Custom, Pretence or Matter whatsoever to the contrary notwithstanding.

III. And be it further enacted, That if any Person shall during the Queen's Majesty's Life, in any wise hold, affirm or maintain any Right, Title, Interest or Possibility, in Succession or Inheritance in or to the Crown of *England*, after our said Sovereign Lady the Queen to be rightfully in, or lawfully due or belonging unto any such Claimer, Pretender, Usurper, Utterer, Declarer, Affirmer, Publisher or not Acknowledger, so that our said Sovereign Lady the Queen shall by Proclamation to be published through the Realm, or else in the more Part of those Shires of this Realm, as well on the South Side as the North Side of *Trent*, and also in the Dominion of *Wales*, in which Shires no War or Rebellion then shall be, set forth, notify or declare such Claiming, Pretence, Uttering, Declaration, Affirming, Publishing, Usurpation or not acknowledging; then every Person which after such Proclamation shall, during the Queen's Majesty's Life, maintain, hold or affirm any Right in Succession, Inheritance or Possibility in or to the Crown or Realm of *England*, or the Rights thereof, to be in or to any such Claimer, Pretender, Utterer, Declarer, Affirmer, Usurper, Publisher or not Acknowledger, shall be a High Traitor, and suffer and forfeit as in Cases of High Treason is accustomed.

IV. And be it further enacted, That if any Person shall in any wise hold and affirm, or maintain that the Common Laws of this Realm, not altered by Parliament, ought not to direct the Right

of the Crown of *England*, or that our said Sovereign Lady *Elizabeth*, the Queen's Majesty that now is, with and by the Authority of the Parliament of *England*, is not able to make Laws and Statutes of sufficient Force and Validity to limit and bind the Crown of this Realm, and the Descent, Limitation, Inheritance and Government thereof; or that this present Statute, or any Part thereof, or any other Statute to be made by the Authority of the Parliament of *England*, with the Royal Assent of our said Sovereign Lady the Queen, for limiting of the Crown, or any Statute for recognizing the Right of the said Crown and Realm, to be justly and lawfully in the most Royal Person of our said Sovereign Lady the Queen is not, are not, or shall not, or ought not to be for ever of good and sufficient Force and Validity, to bind, limit, restrain and govern all Persons, their Rights and Titles, that in any wise may or might claim any Interest or Possibility in or to the Crown of *England* in Possession, Remainder, Inheritance, Succession or otherwise howsoever, and all other Persons whatsoever; every such Person so holding, affirming or maintaining during the Life of the Queen's Majesty, shall be judged a High Traitor, and suffer and forfeit as in Cases of High Treason is accustomed; and every Person so holding, affirming or maintaining, after the Decease of our said Sovereign Lady, shall forfeit all his Goods and Chattels.

V. And for the avoiding of contentious and seditious spreading abroad of Titles to the Succession of the Crown of this Realm, to the disturbing of the common Quiet of the Realm; Be it enacted by the Authority aforesaid, That whosoever shall hereafter during the Life of our said Sovereign Lady, by any Book or Work printed or written, directly and expressly declare and affirm, at any Time before the same be by Act of Parliament of this Realm established and affirmed, that any one particular Person whomsoever it be, is or ought to be the right Heir and Successor to the Queen's Majesty that now is, (whom God long preserve) except the same be the natural Issue of her Majesty's Body, or shall wilfully set up in open Place, publish or spread any Books or Scrolls to that Effect; or shall print, bind or put to Sale, or utter or cause to be printed, bound or put to Sale, or uttered, any such Book or Writing wittingly, that he or they, their Abettors and Counsellors, and every of them, shall for the First Offence suffer Imprisonment of One whole Year, and forfeit Half his Goods, whereof the one Moiety to the Queen's Majesty, the other Moiety to him or them that will sue for the same, by Bill, Action of Debt, Plaint, Information or otherwise, in any of the Queen's Majesty's Courts, wherein no Essoign or Protection shall be allowed; and if any shall afterwards offend therein, then they and every of them, their Abettors and Counsellors, shall incur the Pains and Forfeitures which in the Statutes of Provision or *Premunire* are appointed and limited. 16 R. 2. c. 5.

VI. Provided alway, That if it shall happen hereafter any Peer of this Realm to be indicted of any Offence made Treason by this Act, he shall have his Trial by his Peers as in other Cases of Treason is accustomed.

VII. Saving to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, other than the same Offenders and their Heirs, claiming only as Heir or Heirs to any such Offender, and such Person and Persons as claim to any their

Uses all such Rights, Titles, Interests, Possessions, Leases, Rents, Reversions, Offices and other Profits, which they or any of them shall have at the Day of the committing such Offence or Offences, or at any Time before, in as large and ample Manner as if this Act had never been had or made.

VIII. Provided also, and be it further enacted by the Authority aforesaid, That no Person or Persons shall in any wise be arraigned for any of the Offences mentioned in this Act, to be committed or done within any of the Queen's Majesty's Realms or Dominions, unless the Offender or Offenders be thereof indicted within Six Months next after the same Offence committed; any Thing mentioned in this Act to the contrary notwithstanding; and that no Person or Persons shall in any wise be arraigned for any the Offences mentioned in this Act, to be committed or done out of any of the Queen's Majesty's Realms or Dominions, unless the Offender or Offenders be thereof indicted within One Year next after the same Offence committed; any Thing mentioned in this Act to the contrary notwithstanding.

IX. Provided also, and be it enacted by the Authority aforesaid, That no Person or Persons shall be hereafter arraigned for any of the Offence or Offences mentioned in this Act, unless the same Offence or Offences be proved by the Testimony, Deposition and Oath of Two lawful and sufficient Witnesses, which said Witnesses shall, at the Time of the Arraignment of such Person so offending, be brought forth in Person before the Party so arraigned, Face to Face, and there shall avow and openly declare all they can say against the Party so arraigned, unless the said Party arraigned shall willingly without Violence confess the same.

X. Provided also, and be it enacted by the Authority aforesaid, That the Aiders and Comforters of such of the Offenders aforesaid, as shall maliciously, advisedly and directly publish, set forth and affirm that the Queen's Highness that now is, is an Heretick, Schismatick, Tyrant, Infidel or Usurper of the Crown, as in Form aforesaid, shall for his said First Offence of aiding and comforting the said last recited Offender or Offenders, knowing the same Offence or Offences to be committed, incur only the Danger and Penalty of *Premunire*, mentioned in the Statute of *Premunire*, made in the Sixteenth Year of King Richard the Second; and that such Aiders and Comforters of the Offender or Offenders aforesaid last recited, knowing the same Offences to be committed, which after their First Conviction and Attainder thereof shall estoons offend, shall, for his or their Second Offence, be adjudged High Traitors, and suffer and forfeit as in Cases of High Treason as is aforesaid.

XI. Provided always, and be it enacted by the Authority aforesaid, That the giving of charitable Alms in Money, Meat, Drink, Apparel or Bedding for the Sustentation of the Body or Health of any Person or Persons that shall commit any the Offences made Treason or *Premunire* by this Act, during the Time that the same Offender shall be in Prison, shall not in any wise be deemed or taken to be any Offence; any Thing in this Act contained to the contrary thereof notwithstanding. EXP.

C A P. II.

An Act against the bringing in and putting in Execution of Bulls, and other Instruments from the See of *Rome*.

WHERE in the Parliament holden at *Westminster*, in the Fifth Year of the Reign of our Sovereign Lady the Queen's Majesty that now is, by One Act and Statute then and there made, intituled, *An Act for the Assurance of the Queen's Majesty's Royal Power over all States and Subjects within her Highness Dominions*, it is, among other Things, very well ordained and provided for the abolishing of the usurped Power and Jurisdiction of the Bishop of *Rome* and of the See of *Rome*, heretofore unlawfully claimed and usurped within this Realm and other the Dominions to the Queen's Majesty belonging, that no Person or Persons shall hold or stand with, to set forth, maintain, defend or extol the same usurped Power, or attribute any manner of Jurisdiction, Authority or Preheminence to the same, to be had or used within this Realm or any of the said Dominions, upon Pain to incur the Danger, Penalties and Forfeitures ordained and provided by the Statute of Provision and *Premunire*, § 2, 10. 16 R. 2. c. 3.

made in the Sixteenth Year of the Reign of King *Richard* the Second, as by the same Act more at large it doth and may appear; and yet nevertheless divers seditious and very evil disposed People, without the Respect of their Duty to Almighty God, or of the Faith and Allegiance which they ought to bear and have to our said Sovereign Lady the Queen, and without all Fear and Regard had to the said good Law and Statute, or the Pains therein limited, but minding, as it should seem, very seditiously and unnaturally, not only to bring this Realm and the Imperial Crown thereof (being in very Deed of itself most Free) into the Thraldom and Subjection of that foreign, usurped and unlawful Jurisdiction, Preheminence and Authority claimed by the said See of *Rome*, but also to estrange and alienate the Minds and Hearts of sundry her Majesty's Subjects from their dutiful Obedience, and to raise and stir Sedition and Rebellion within this Realm, to the Disturbance of the most happy Peace thereof, have lately procured and obtained to themselves from the said Bishop of *Rome* and his said See, divers Bulls and Writings, the Effect whereof hath been and is to absolve and reconcile all those that will be contented to forsake their due Obedience to our most gracious Sovereign Lady the Queen's Majesty, and to yield and subject themselves to the said feigned, unlawful and usurped Authority; and by Colour of the said Bulls and Writings, the said wicked Persons very secretly and most seditiously, in such Parts of this Realm where the People for want of good Instruction are most weak, simple and ignorant, and thereby farthest from the good Understanding of their Duties towards God and the Queen's Majesty, have by their lewd and subtil Practices and Persuasions so far forth wrought, that sundry simple and ignorant Persons have been contented to be reconciled to the said usurped Authority of the See of *Rome*, and to take Absolution at the Hands of the said naughty and subtil Practisers, whereby hath grown great Disobedience and Boldness in many, not only to withdraw and absent themselves from all Divine Service, now most godly set forth and used within this Realm, but also

The Effect of
Bulls brought
from *Rome*.

‘ also have thought themselves discharged of and from all Obedience, Duty and Allegiance to her Majesty, whereby most wicked and unnatural Rebellion hath ensued, and to the further Danger of this Realm is hereafter very like to be renewed, if the ungodly and wicked Attempts in that Behalf be not by Severity of Laws in Time restrained and bridled :’

Putting in Ure
any Bull.

II. For Remedy and Redress whereof, and to prevent the great Mischiefs and Inconveniencies that thereby may ensue, Be it enacted by the Queen's most excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons, after the First Day of *July* next coming, shall use or put in Ure in any Place within this Realm, or in any the Queen's Dominions, any such Bull, Writing, or Instrument written or printed, of Absolution or Reconciliation, at any Time heretofore obtained and gotten, or at any Time hereafter to be obtained or gotten from the said Bishop of *Rome* or any his Successors, or from any other Person or Persons authorized or claiming Authority by or from the said Bishop of *Rome*, his Predecessors or Successors, or See of *Rome*; or if any Person or Persons after the said First Day of *July* shall take upon him or them, by Colour of any such Bull, Writing, Instrument or Authority, to absolve or reconcile any Person or Persons, or to grant or promise to any Person or Persons within this Realm, or any other the Queen's Majesty's Dominions any such Absolution or Reconciliation, by any Speech, Preaching, Teaching, Writing or any other open Deed; or if any Person or Persons within this Realm or any the Queen's Dominions after the said First Day of *July* shall willingly receive and take any such Absolution or Reconciliation;

Absolving or
reconciling, or
being absolved or
reconciled.

Or getting any
Bull from Rome,
or publishing,
&c.

III. Or else if any Person or Persons have obtained or gotten since the last Day of the Parliament holden in the First Year of the Queen's Majesty's Reign, or after the said First Day of *July* shall obtain or get from the said Bishop of *Rome*, or any his Successors or See of *Rome*, any manner of Bull, Writing or Instrument, written or printed, containing any Thing, Matter or Cause whatsoever, or shall publish, or by any Ways or Means put in Ure any such Bull, Writing or Instrument; that then all and every such Act and Acts, Offence and Offences, shall be deemed and adjudged by the Authority of this Act to be High Treason, and the Offender and Offenders therein, their Procurers, Abettors and Counsellors to the Fact and committing of the said Offence or Offences, shall be deemed and adjudged High Traitors to the Queen and the Realm, and being thereof lawfully indicted and attainted according to the Course of the Laws of this Realm, shall suffer Pains of Death, and also lose and forfeit all their Lands, Tenements, Hereditaments, Goods and Chattels, as in Cases of High Treason by the Laws of this Realm ought to be lost and forfeited.

Death.

Aiders, &c. of
Offenders.

IV. And be it further enacted by the Authority aforesaid, That all and every Aiders, Comforters or Maintainers of any the said Offender or Offenders, after the committing of any the said Acts or Offences, to the Intent to set forth, uphold or allow the Doing or Execution of the said usurped Power, Jurisdiction or Authority, touching or concerning the Premises, or any Part thereof, shall incur the Pains and Penalties contained in the Statute of

Premunire

Premunire made in the Sixteenth Year of the Reign of King 16 R. 2. c. 5.
Richard the Second.

V. Provided always, and be it further enacted by the Authority aforesaid, That if any Person or Persons, to whom any such Absolution, Reconciliation, Bull, Writing or Instrument as is aforesaid, shall after the said First Day of *July* be offered, moved or persuaded to be used, put in Use or executed, shall conceal the same Offer, Motion or Persuasion, and not disclose and signify the same by Writing or otherwise, within Six Weeks then next following, to some of the Queen's Majesty's Privy Council, or else to the President or Vice-President of the Queen's Majesty's Council established in the North Parts, or in the Marches of *Wales* for the Time being, that then the same Person or Persons so concealing and not disclosing, or not signifying the said Offer, Motion or Persuasion, shall incur the Loss, Danger, Penalty and Forfeiture of Misprision of High Treason :

Concealing or
not disclosing a
Bull, &c.

VI. And that no Person or Persons shall at any Time hereafter be impeached, molested or troubled in or for Misprision of Treason, for any Offence or Offences made Treason by this Act, other than such as by this Act are before declared to be in case of Misprision of High Treason.

Misprision of
Treason.

VII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time after the said First Day of *July* bring into this Realm of *England*, or any the Dominions of the same, any Token or Tokens, Thing or Things, called or named by the Name of *Agnus Dei*, or any Crosses, Pictures, Beads or such like vain and superstitious Things, from the Bishop or See of *Rome*, or from any Person or Persons authorized or claiming Authority by or from the said Bishop or See of *Rome*, to consecrate or hallow the same (which said *Agnus Dei* is used to be specially hallowed and consecrated, as it is termed, by the said Bishop in his own Person, and the said Crosses, Pictures, Beads and such like superstitious Things been also hallowed either by the same Bishop, or by others having Power or pretending to have Power for the same by or from him or his said See ; and divers Pardons, Immunities and Exemptions granted by the Authority of the said See to such as shall receive and use the same), and that if the same Person or Persons so bringing in, as is aforesaid, such *Agnus Dei* and other like Things as have been before specified, shall deliver, or cause or offer to be delivered the same, or any of them, to any Subject of this Realm, or of any the Dominions of the same to be worn or used in any wise, that then as well the same Person and Persons so doing, as also all and every other Person or Persons which shall receive and take the same, to the Intent to use or wear the same, being thereof lawfully convicted and attainted by the Order of the Common Laws of this Realm, shall incur the Dangers, Penalties, Pains and Forfeitures ordained and provided by the Statute of *Premunire* and Provision made in the Sixteenth Year of the Reign of King *Richard the Second.*

Bringing into the
Realm, or using
Agnus Dei, &c.

Premunire.

VIII. Provided nevertheless, and be it further enacted by the Authority aforesaid, That if any Person or Persons to whom any such *Agnus Dei* or other the Things aforesaid, shall be tendered and offered to be delivered, shall apprehend the Party so offering the same, and bring him to the next Justice of Peace of that Shire where

Apprehending
Offender, or dis-
closing his Name.

where such Tender shall be made, if he shall be of Power and able so to do, or for lack of such Ability, shall within the Space of Three Days next after such Offer made as is aforesaid, disclose the Name and Names of such Person or Persons as so shall make the same Offer, and the Dwelling Places or Place of Resort of the same Person or Persons (which he shall endeavour himself to know by all the Ways and Means he can) to the Ordinary of that Diocese, or to any Justice of Peace of that Shire where such Person or Persons to whom such Offer shall be made as is aforesaid, shall be Resiant; and also if such Person or Persons to whom such Offer shall be made, shall happen to receive any such *Agnus Dei* or other Thing above remembered, and shall within the Space of One Day next after such Receipt deliver the same to any Justice of Peace within the same Shire where the Party so receiving shall be then resiant, or shall happen to be; that then every such Person or Persons doing any the Acts or Things in this Provision above mentioned, in Form above declared, shall not by Force of this Statute incur any Danger or Penalty appointed by this Statute, or any other Pain or Penalty; this Act, or any Thing therein contained to the contrary in any wise notwithstanding.

“ A Pardon to them that shall bring in Bulls to be cancelled, and
 “ submit themselves within Three Months after the Dissolution of
 “ the present Parliament. § 9. EXP.

Justice of Peace
 not disclosing
 Offence.

X. Provided also, and be it further enacted by the Authority aforesaid, That if any Justice of Peace, to whom any Matter or Offence before mentioned shall be uttered, shewed or declared, as is aforesaid, do not within the Space of Fourteen Days next after it shall be to him shewed or uttered, signify or declare the same to some one of the Queen's Majesty's Privy Council, that then the same Justice of Peace shall incur the Danger, Pain and Forfeiture provided by the said Statute made in the said Sixteenth Year of King *Richard* the Second.

Warrant.

Trial of Peers.

XI. Provided also, and be it further enacted by the Authority aforesaid, That if any Nobleman, being a Peer of this Realm, shall at any Time hereafter happen to be indicted for any the Offence or Offences aforesaid, that then every such Nobleman and Peer of this Realm shall have his Trial by his Peers, as in Cases of High Treason and Misprision of Treason hath heretofore been accustomed or used.

General Saving.

XII. Saving to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, and the Heirs and Successors of every of them, other than the said Offenders and their Heirs claiming only as Heir or Heirs to any such Offenders, and such Person and Persons as claim to any their Uses, all such Rights, Titles, Interests, Possessions, Leases, Rents, Reversions, Remainders, Offices, Fees and all other Profits, Commodities and Hereditaments, as they or any of them shall have at the Day of the committing of such Offence or Offences, or at any Time before, in as large and ample Manner to all Intents and Purposes, as if this Act had never been had or made; any Thing herein contained to the contrary thereof notwithstanding.

C A P. III.

An Act against Fugitives over the Sea.

EXP.

FORASMUCH as the Duty of every Subject consisteth chiefly in Readiness at all Times to attend to the Service of his Prince and Sovereign Governor, and of his Country, when he shall be thereunto commanded, either within the Realm or without, both with his bodily Service, and Assistance with his Goods and Lands, according to his Calling: And albeit by divers Laws and Statutes of this Realm, none ought depart the same without special Licence of the Prince, except such as in the Statutes be specially excepted, and those yet only at certain Places appointed; yet nevertheless divers and sundry Persons, contrary to the Duty of good and lawful Subjects, as though they were sovereign Rulers themselves, and not under Rule and Commandment, casting away most wilfully and obstinately the Service, Duty, Obedience and Defence of their Prince and Country, do secretly in great Numbers, without Licence of the Queen, our and their natural Sovereign Lady, depart this Realm of *England*, and other the Dominions belonging to the same, into foreign Parts and Dominions of other Princes, under whose Obedience and Protection they submit themselves, and become their Subjects, and there do not only unnaturally discover the Secrets of this Realm, their native Country, as much as in them lieth, but also do convey with them great Sums of Money, being naturally a Part of the common Treasure of the Realm, spending the same to the Profit and Commodity of Strangers, and in sundry Places to the Relief of Rebels, Fugitives and Traitors; and not so satisfied, do further practise in those foreign Parts divers traitorous, rebellious, seditious and slanderous Things, as well by Writing as otherwise, to the great Danger and Peril of the Queen our most gracious Sovereign Lady, and the State of this whole Realm of *England*, and the Dominions belonging to the same. And to the End the better to bring to pass and to maintain their said most unnatural Attempts, and devilish Devises, after they have determined so to pass out of this Realm, do by Fraud, Collusion and Covin (Things detested and abhorred by all good Laws) make divers secret Estates, Gifts and Conveyances, as well of their Lands, Tenements and Hereditaments, as of their Goods and Chattels, moveable and immoveable; which said Gifts, Estates and Conveyances, nevertheless been by the secret Intent of the Parties, to the proper Uses, and at the free Disposition of the said Persons, although by a feigned Countenance, Shew and Visage, contained by Words and Sentences in the same fraudulent Gifts and Conveyances, it may appear that the same are made either to the only Uses, Profit and free Disposition of such Person and Persons to whom they are so made and conveyed, or to other good and lawful Dispositions, which in Deed are not most commonly true, nor so intended by the Parties; and so the Profits and Commodities arising and coming of such Lands, Tenements, Goods and Chattels, been put in Bank and Exchange, and as it were unnaturally stolen and conveyed out of the Realm, to and for the Maintenance, Expence and Finding of such disobedient, traitorous and rebellious Fugitives in foreign Parts, and thereby also

- to the impoverishing and defrauding of the Realm of the natural
- Aid which it should have thereby, if it were here preserved and
- expended :

II. For Remedy whereof, be it enacted, established and ordained by the Queen our Sovereign Lady, and the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, by the Authority of the same, That all and every Person and Persons, of what Estate, Degree or Condition they be, being the natural born Subjects of or in this Realm of *England*, or other Dominions, being under the Obeisance of the Queen, her Heirs or Successors, or being free Denizens of this Realm, the which at any Time sithence the First Day of the Reign of our said Sovereign Lady the Queen (whom Almighty God long preserve) hath passed, or hereafter during her Majesty's Life shall pass out of this Realm of *England* or of *Ireland*, or any other the Dominions of the same, at any Place whatsoever, into any the Realms, Dominions or Countries of any foreign Prince, Potentate or Governor, by whatsoever Name or Names they be called or known, without the special Licence of our said Sovereign Lady by Writing under the Great Seal of *England*, Privy Seal or Privy Signet; that then every such Person or Persons which hath departed, or hereafter shall so depart out of this Realm, or the Realm of *Ireland*, or any the Dominions of the same, without such Licence, as is aforesaid, and shall not return into the same Realm of *England*, and there yield and render his or their Bodies to the Custody and Ward of the Sheriff of the County where such Person or Persons shall so arrive, or to some of the most honourable Privy Council of our said Sovereign Lady, within the Space of Six Months next after Proclamation made by our said Sovereign Lady the Queen under the Great Seal of *England*, for the Return and yielding of the Body of such Person or Persons so as is aforesaid departing without Licence, shall forfeit and lose to our said Sovereign Lady the Queen, the whole Profits of all their Manors, Lands, Tenements and Hereditaments, during their Lives, whereof they were seised of any Estate of Freehold or Inheritance, in their own Right, or in the Right of their Wives; and also shall forfeit unto the same our Sovereign Lady the Queen, her Heirs and Successors for ever, all their Goods and Chattels whatsoever; and that all and every the Benefices, Prebends and other Ecclesiastical Promotions and Dignities whatsoever, of every Spiritual and Ecclesiastical Person so offending, in departing the Realm as is aforesaid, and not returning and yielding their Bodies in Form above limited, shall be utterly void to all Intents and Purposes, as though the Incumbent were dead; and that the Patron and Donor of every such Benefice, Prebend, Spiritual Promotion and Dignity, shall and may lawfully present to the same, or give the same in such Manner and Form as if the said Incumbent were dead.

III. And be it further enacted by the Authority aforesaid, That all and every Person or Persons, being natural born Subjects as is aforesaid, and also all and every Denizen or Denizens which at any Time sithence the said First Day of the Reign of our said Sovereign Lady the Queen, have departed, or hereafter during her Majesty's Life shall depart out of this Realm or the Realm of *Ireland*, or any the Dominions of the same, by Licence of our said Sovereign Lady under any the Seals aforesaid, into any foreign

foreign Realms, Countries or Dominions, being not under the Obeisance of her Highness, and shall not return into this Realm, and there yield his or their Body, as is above declared, within the Space of Six Months next after the expiring of the Time appointed by or in such Licence for his Abode in such foreign Realms, Dominions and Countries, if their Licence shall expire hereafter, but if their Licence be expired already, then within Eight Months after the End of this Session of Parliament, if he or they shall be at their own Liberty, and not restrained or compelled against their Will not to depart out of or from such foreign Realm, Dominion or Country, or not further licensed, as is aforesaid, for a further Term; that then all and every such Person and Persons shall forfeit and lose to our said Sovereign Lady the Queen, during their Lives, the whole Profits of all the Manors, Lands, Tenements and Hereditaments whereof they shall be seised of any Estate of Freehold or Inheritance, in their own Right, or in the Right of their Wife or Wives, and also all their Goods and Chattels whatsoever; and that the Benefice, Prebends and other Ecclesiastical Promotions and Dignities whatsoever, of every Spiritual and Ecclesiastical Person so offending, shall be utterly void to all Intents and Purposes, as though the Incumbent were dead; and that the Patrons and Donors of every such Benefice, Prebend, Spiritual Promotion and Dignity, shall and may lawfully present to the same, or give the same, as if the Incumbent were dead.

IV. And forasmuch as divers of the said Persons, after they have determined to pass out of this Realm, or the Realm of *Ireland*, or the Dominions of any of the same, without Licence; or having Licence, determine not to return into the same, according to their Licence, do most commonly by Covin and Fraud make, cause or suffer to be made and had, Recoveries, Estates, Grants, Leases and other Conveyances of their Manors, Lands, Tenements and Hereditaments; and also do by Covin and Fraud make Gifts and Grants, and other Devices of their Goods and Chattels, to the Intent and upon privy Confidence that the Profits of the same may be employed and bestowed in such Form, and to such secret Purposes and Uses, as they do or shall limit and appoint, and be agreed upon; Be it therefore further enacted and ordained by the Authority aforesaid, That all and every such Estates, Grants, Leases, Gifts, Devices and Conveyances whatsoever, and every of them, being found by Office to be made and had by Fraud or Covin, as is aforesaid, shall be, as touching such Interest as by this Act is appointed, to our Sovereign Lady the Queen's Highness now being, her Heirs and Successors, as is aforesaid, and as against the same our Sovereign Lady the Queen, for and concerning the same Interest, utterly void, and of none Effect or Validity in the Law, and that our said Sovereign Lady the Queen shall have and enjoy the same so covenantously conveyed, as if the Party so offending were thereof actually seised or possessed; such Recoveries, Estates, Leases, Grants or Conveyances suffered, had or made, or any Law, Statute, Usage, Custom or other Thing to the contrary notwithstanding.

V. And be it further enacted by the Authority aforesaid, That the Lord Chancellor of *England*, or the Keeper of the Great Seal for the Time being, shall have full Power and Authority, during the Queen's Majesty's Life, by virtue of this Act, without other Warrant,

Warrant, to make and award out under the Great Seal of *England*, Commissions from Time to Time to such Person and Persons as by the Wisdom and Discretion of the same Lord Chancellor or Keeper of the Great Seal shall be named and appointed, to enquire by the Oaths of Twelve lawful Men at the least, what Person or Persons have departed out of this Realm, or other the Dominions of the same, without Licence, or by Licence, and not returned into the same, and yielded their Bodies in such Manner and Form as is above declared, and what Manors, Lands, Tenements, Hereditaments, Goods and Chattels they or any of them were seised or possessed of at any Time within the Space of Two Years next before their said departing, or after, and what Estates or Conveyances they or any of them have made, and when, and whether the same were made upon Covin, as is above expressed, and what Person and Persons been the Terre-tenants of the same Manors, Lands, Tenements and Hereditaments, or Occupiers and Possessors, or Takers or Receivers of the Profits of the same, and of the said Goods and Chattels, and by what Title they hold and possess the same, and to whose or what Use or Uses, and of the yearly Rents and Values thereof; the which Inquisition thereupon taken shall be made in Writing indented, between such of the Commissioners as shall execute the same, interchangeably sealed with their Seals, and the Seals of the Jurors by whom the same Inquisition shall be found; and that the same Part so sealed by the Jurors shall be delivered unto the said Commissioners, and the other Part thereof sealed by the Commissioners shall be delivered and remain with the Foreman of the Jury by whom the same Inquisition shall be found; and that the Commissioners, within the Space of Two Months next after such Inquisition found and sealed, shall certify and deliver the same Commission, with the Counterpane of the same, sealed by the Jurors as is aforesaid, into the Court of the Exchequer of our said Sovereign Lady the Queen, there to remain of Record.

VI. And be it further enacted by the Authority aforesaid, That all and every the said Matters and Things being truly found upon any the said Commissions by Inquisition, as is aforesaid, shall be good and available in the Law, to all Intents and Purposes, until the same shall be undone by lawful Traverse, which the Party grieved shall have at his Will and Pleasure; and that the Barons of the said Exchequer shall and may thereupon from Time to Time take such Order for the true answering of the Rents, Revenues, Issues and Profits of the said Manors, Lands, Tenements, Hereditaments, Goods and Chattels, to the Use of our said Sovereign Lady the Queen, as unto them and the said Court of the Exchequer shall seem most expedient.

VII. And be it further enacted by the Authority aforesaid, That if any Person or Persons to whom any Estate, Grant, Lease or other Conveyance is or hereafter shall be made or had, by any such Person or Persons which hath departed, or hereafter shall, in Form aforesaid, depart into any foreign Realm, Country or Dominion, by or without Licence as is aforesaid, of any their Manors, Lands, Tenements, Hereditaments, Goods or Chattels, do not within the Space of Three Months next after Proclamation made in the Name of our said Sovereign Lady the Queen, under the Great Seal of *England*, within any Country where the same Manors, Lands, Tenements and Hereditaments shall lie, truly declare
upon

upon their Oaths, either before the said Commissioners, or before the Barons of the Exchequer, or some of them, to what Use and Intent such Estates, Grants and Conveyances were made, according unto the very Truth, without any Concealment or Colour; that then every such Person and Persons to whom such Estate or Conveyance is or shall be made, shall forfeit and lose unto our said Sovereign Lady, the Sum of Twenty Pounds of lawful Money of England, and shall also suffer Imprisonment during the Pleasure of the same our Sovereign Lady: And further, that the said Commissioners, and so many of them as shall take upon them the Execution of the said Commission, and also the Barons of the Exchequer, after the Return and Certificate of the same Commission before them, shall have full Power and Authority by virtue of this Act, by all such Means and Ways as to them shall seem most expedient, to send for all and every such Person and Persons as shall have any Estate, Interest, Possession, Occupation or meddling with the said Manors, Lands, Tenements, Goods or Chattels, or any other, and them and every of them to examine upon their corporal Oaths, to open and declare plainly and truly to what and whose Use, Profit and Commodity they have or hold the same Manors, Lands, Tenements, Goods and Chattels, and how and to what and whose Use the Rents, Revenues, Issues and Profits of the same been and hath been converted and employed, and how long Time, and to use all such other Ways, Means and Circumstances for the Knowledge of the Truth in the Premises, as to them shall seem meet and convenient; and if any Person or Persons, being sent for to be examined, as is aforesaid, shall not appear at the Day and Place to them appointed, and having no lawful Excuse for the contrary, or after Appearance shall depart without Licence of such as shall have Power to examine them, as is aforesaid; or shall refuse to answer to such Interrogatories as shall be ministered unto them touching the Premises, and the Circumstances and Dependances of the same, that then every Person, and Persons aforesaid so offending shall pay and lose unto the Queen our Sovereign Lady such Fine and Fines for the said Contempt as shall be assessed by such as before whom the said Examinations should be made as is aforesaid, for the Knowledge of the Truth in the Premises: Saving to every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, other than the said Person and Persons so departing by Licence, or without Licence, as is aforesaid, and other than such Person and Persons to whom any of the said Assurances, Conveyances or Devices be or shall be made as is aforesaid, and other than all and every such Person and Persons which have or shall have, or claim any Thing of, in or to any such Manors, Lands, Tenements, Goods and Chattels, by or from any Person or Persons to whom any such Assurance, Device or Conveyance shall be made as is aforesaid, all such Rights, Titles, Interests, Possessions, Leases, Rents, Reversions, Remainders, Services, Offices, and other Profits and Commodities, which they or any of them without Fraud or Covin shall have in the same before such the departing of any such Person or Persons, and not returning as is aforesaid, in as large and ample Manner and Form, as if this Act had never been had nor made.

VIII. Provided always, That this Act, or any Thing therein contained, shall not in any wise extend to any known Merchant of

of this Realm of *England*, or of the Realm of *Ireland*, or any the Dominions of the same, or to any of their known Servants, Apprentices or Factors, or to any known Masters of Ships, Mariners, Sailors or Gunners of any Ship, for and concerning his or their departing out of the same without Licence into any foreign Realm, Country or Dominion, for his or their only Trade of Merchandize, so that such Merchant or Merchants, Servants, Apprentices, Factors, Masters of Ships or Mariners, shall not attempt or do, nor shall have attempted or done any Act or Thing whatsoever contrary to the Duty of his Allegiance, or to the Prejudice or Peril of our said Sovereign Lady the Queen, or the State of this Realm of *England* or *Ireland*, or any the Dominions of the same, and shall return into this Realm, and there yield his Body upon Proclamation for his Return as is aforesaid; this Act or any Thing therein contained to the contrary notwithstanding.

IX. Provided also, That if any Person by Reason of his blind Zeal and Conscience only, depart beyond the Seas without Licence as aforesaid, or having Licence, doth for the same Cause only tarry there after the Time appointed by Proclamation be expired, and do not in the Time he is beyond the Seas, or did not before he departed out of *England* conspire, compass or imagine, and by Word, Writing or any other open Act, declare any evil Mind to the Queen's Majesty, or her Estate, or quiet Government of her Majesty's Realm; that then and in such Case, the Lord Chancellor or the Lord Keeper, upon Petition to be made, shall by Authority of this Act, without any other Warrant, limit and appoint for the Maintenance and Education of his desolate Wife and Children, or any of them, and allot unto them One reasonable Portion of the Revenues of the Lands of such fugitive Person, not under the Fourth Part, nor above a Third Part of the Value of such Lands as by this Act shall be forfeited to her Majesty, to be taken of them during the natural Life and Absence of the said fugitive Person, so that the said Person, before his Departure, shall not have made otherwise sufficient Conveyance and Provision for them, by the reasonable Judgment of the said Lord Chancellor, or the Lord Keeper of the Great Seal.

X. Provided also, That if any Person offending contrary to this Statute aforesaid, shall at any Time after that by this Act he hath forfeited the Profits of his Manors, Lands, Tenements or Hereditaments as is aforesaid, repent him of his Offence and undutiful Doing, will acknowledge that great Grace of God, return again into *England*, yield himself to the Sheriff of the Shire, as is aforesaid, or to any one of the Queen's Majesty's Privy Council, acknowledging his Fault, submitting himself to the Queen's Majesty's Obedience, and fully reconcile himself to the true Religion established by Order of Law within this Realm, declaring that his Reconciliation to the Bishop of the Diocese, and shewing the same openly by coming to the Divine Service by Order of this Realm appointed, and receiving the Holy Communion; that then after One Year expired, every such Person bringing to the Lord Chancellor or Keeper of the Great Seal a Certificate from the Bishop of the Diocese, and the Curate of his Parish, of his true and unfeigned Reconciliation, shall be restored to all his Lands, and the Profits thereof, which before was forfeited by virtue of this Act, from thenceforth to be due, and them to repossede from

from thenceforth in as ample Manner as they had never been forfeited.

XI. Provided always, That this Act, or any Thing in the same contained, shall in no manner of wise extend, or be deemed or taken hereafter to extend, to the Right Honourable the Lady *Jane* Duchess of *Feria*, now being in *Spain*, Daughter unto Sir *William* Dormer Knight, nor unto the Lady *Jane* Dormer Widow, Grandmother unto the said Duchess; any Thing in this Act to the contrary in any wise notwithstanding.

XII. Provided also, That this Act, or any Thing therein contained, shall not continue or be in Force or Strength any longer than during the natural Life of the Queen's most excellent Majesty.

XIII. Provided also, and be it further enacted by the Authority aforesaid, That if it fortune any Nobleman, being a Peer of this Realm, at any Time hereafter to depart this Realm, whose Departure shall not be contrary to the Laws and Statutes of this Realm, that then no such Nobleman so departing shall incur any Pains or Forfeitures provided by this Act, unless such Nobleman be commanded by the Letters of our Sovereign Lady the Queen, under her Grace's Privy Seal or Signet, to make his Return and repair into this Realm, and after such Warning do not repair into this Realm, according to the Tenor of the same Letters, within the Space of Eight Months next after the Delivery of such Letters of our said Sovereign Lady the Queen unto any such Nobleman as is above mentioned; or if such Letters shall not be to him delivered, so as he may well return within Eight Months after the sending thereof, then unless such Nobleman shall not return within other Eight Months next after Proclamation to be made as is above appointed; any Thing before in this Act contained or expressed to the contrary notwithstanding.

XIV. Provided also, That if any Nobleman, being a Peer of this Realm, which at any Time hereafter shall fortune to depart out of this Realm, in such Sort as by the Laws of the Realm he may, and who hath not at any Time before his Departure, nor shall at any Time during his Abode out of this Realm, practise or devise any Matter or Thing against the Royal Person of our said Sovereign Lady the Queen, or the quiet Estate of this Realm, or any other her Highness Dominions being under her Obeisance, do return into this Realm, and do yield himself to Two of her Majesty's Privy Council, acknowledging his Offence done contrary to this Act, that then every such Nobleman shall from thenceforth be restored to all the Rents, Revenues, Issues and Profits of all his Lands, Tenements and Hereditaments, which from thenceforth should or might grow due unto our said Sovereign Lady the Queen by reason of this Act, and that then and from thenceforth the Queen's Highness Title in and to the Rents, Revenues, Issues and Profits of all and singular his Lands, Tenements and Hereditaments, by virtue only of this Act, shall cease, end and determine; any Thing in this Act contained to the contrary notwithstanding.

C A P. IV.

An Act to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers &c. liable to the Payment of their Debts.

Treasurers, &c.
how far liable for
Payment of the
Queen's Debts.

FOR the better Security of the Queen's Majesty, her Heirs and Successors, against such as shall have the Receipt and Charge of the Money and Treasure of her Highness, her Heirs and Successors, Be it declared and enacted by the Queen's Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That all Lands, Tenements, Profits, Commodities and Hereditaments, which any Treasurer or Receiver in or belonging to any of the Queen's Majesty's Courts of the Exchequer, Wards and Liveries, or Duchy of *Lancaster*, Treasurer of the Chamber, Cofferer of the Household to the Queen's Majesty, her Heirs or Successors, Treasurer for the Wars, Treasurer of any Fort, Town or Castle where any Garrison is or shall be kept, Treasurer of the Admiralty or Navy, Treasurer, Undertreasurer or other Person accountable to the Queen's Majesty, her Heirs or Successors, for any Office or Charge of or within the Mint, Treasurer or Receiver of any Sums of Money imprest, or otherwise, for the Use of the Queen's Majesty, her Heirs or Successors, or for Provisions of Victual, or for Fortifications, Buildings or Works, or for any other Provisions to be used in any the Offices of the Queen's Majesty's Ordnance and Artillery, Armory, Wardrobe, Tents and Pavilions, or Revels, Customer, Collector, Farmer of Customs, Subsidies, Imposts or other Duties within any Port of the Realm, Collector of the Tenth of the Clergy, Collector of any Subsidy or Fifteen, Receiver General of the Revenues of any County or Counties, answerable in the Receipt of the Exchequer, or in the Court of Wards and Liveries (a), or the Duchy of *Lancaster*, Clerk of the Hamper, now hath, or at any Time hereafter shall have, within the Time whilst he or they or any of them shall remain accountable, shall, for the Payment and Satisfaction unto the Queen's Majesty, her Heirs and Successors, of his or their Arrearages, at any Time hereafter to be lawfully, according to the Laws of this Realm, adjudged and determined upon his or their Account (all his due and reasonable Petitions being allowed), be liable to the payment thereof, and be put and had in Execution for the Payment of such Arrearages or Debts to be so adjudged and determined upon any such Treasurer, Receiver, Teller, Customer, Collector, Farmer, Officer or Accountant, as is before named, in like and in as large and beneficial Manner to all Intents and Purposes, as if the same Treasurer, Receiver, Teller, Customer, Farmer or Collector, upon whom any such Arrearages or Debts shall be so adjudged or determined, had the Day he became first Officer or Accountant stood bound by Writing obligatory, having the Effect of a Statute of the Staple, to her Majesty, her Heirs or Successors, for the true Answering and Payment of the same Arrearages or Debts. (a) [*Court of Wards and Liveries taken away, 12 Car. 2. c. 24. § 1.*]

II. And forasmuch as many Times it may come to pass, that the Queen's Highness, her Heirs or Successors, shall not or may not

‘ not be conveniently satisfied of the Debt to be determined or due
 ‘ upon any Account or Farm as is aforesaid, by way of Extent,
 ‘ for that the yearly Value of the Lands extended will not satisfy
 ‘ her Highness, her Heirs or Successors, within the Compass of
 ‘ many Years, so as thereby great Loss might ensue to her
 ‘ Highness, her Heirs and Successors:’ For Remedy thereof, be
 it further enacted, That if any Treasurer, Receiver, Collector,
 Farmer, Customer, Teller, Collector of Customs, Subsidy or
 Impost, or other Person Accountant before mentioned, which
 shall from and after the Feast of St. *Michael* the Archangel
 now next coming receive or be chargeable with any Money or
 Treasure of our said Sovereign Lady the Queen, her Heirs or
 Successors, and shall upon the determining of his or their Account
 (all his and their due Petitions to them upon the same Account
 being allowed), or by reason of any Farm, as aforesaid, be found
 in Arrearages, or to owe unto our said Sovereign Lady the
 Queen, her Heirs or Successors, any Sum or Sums of Money,
 and shall not within the Space of Six Months next after his or
 their Accounts finished, or Debt known, (having Allowance of his
 or their due and reasonable Petitions, as is aforesaid) truly satisfy
 and pay all such Arrearages and Sums of Money as he or they
 shall owe upon Determination of his or their Account, or upon
 his or their Debt known, as is aforesaid; that then it shall and
 may be lawful to the Queen’s Highness, her Heirs and Successors,
 at any Time, and from Time to Time, after the said Six Months
 ended, to make Sale by her or their Letters Patents under the
 Great Seal of *England*, of so much of the Lands, Tenements and
 Hereditaments of every such Accountant or Debtor so being
 found in Arrearages or in Debt, as is above mentioned, as may
 suffice our said Sovereign Lady the Queen, her Heirs or Successors,
 for the Satisfaction of his or their Debt or Arrearages, to be
 determined or adjudged upon his or their Account or Farm, as is
 aforesaid, (all due Petitions being allowed, as is aforesaid) until
 her Majesty, her Heirs or Successors, be by such Sale fully satis-
 fied and paid off such Arrearages and Debt to be found upon
 Account of Farm, as is aforesaid.

The Queen may
sell Accountants
Lands.

[Sale good after the Death

of Accountant, &c. 27 *Eliz. c. 3.* § 2.]

III. And if any Overplus of Money shall be received or had
 upon any such Sale, then the same shall be paid and delivered to
 the Accountant or Farmer, or his Heirs, by the Officer that shall
 receive the Money upon any of the said Sales, without any further
 or other Warrant in that Behalf to be made or obtained.

Overplus.

IV. And be it further enacted by the Authority aforesaid, That
 all the said Sales to be made by the Queen’s Majesty, her Heirs or
 Successors, as is aforesaid, shall be good and available in Law
 against the Party Accountant indebted as is aforesaid, and His
 Heirs claiming as Heirs, and against the Queen’s Majesty, her
 Heirs and Successors, notwithstanding any former Charge or In-
 cumbrance to her Majesty, her Heirs and Successors, by the Per-
 son or Persons for whose Debt or Duty the same shall fortune to
 be sold.

V. And be it further enacted by the Authority aforesaid, That
 if any Person or Persons accountant or indebted, as is aforesaid,
 shall at any Time after he or they shall become accountant or
 chargeable, as is aforesaid, purchase and buy, or cause to be pur-
 chased

Accountant pur-
chasing Lands,
&c. in others
Names.

chased and bought, any Lands, Tenements or Hereditaments, and cause the Assurance thereof to be made in the Name of any other Person or Persons, where the same is indeed meant or intended to the Use, Profit or behoof of such Person accountant or indebted, or of any other Person or Persons, and that the same Manner of purchasing, and secret Uses, Profits or behoof, shall be found by Office or Inquisition; that then all and every Lands, Tenements and Hereditaments so to be bought or purchased, or caused to be purchased (as is before mentioned in this last proviso) shall by virtue of this Act be taken, deemed and used for the Satisfaction of the Arrearages and Debt of every such Accountant or Debtor, as is above mentioned, to all Intents and Purposes, as though the Person or Persons indebted upon his or their Account or Farm were thereof actually seized of such Estate that was conveyed to any Person or Persons, by any such Accountant or Debtor, or by his Means, as is aforesaid: And that all Sales to be thereof made by the Queen's Majesty, her Heirs or Successors, for Satisfaction of such Debt or Arrearages as shall be found, as is aforesaid, to be due and owing to our said Sovereign Lady the Queen, her Heirs and Successors, shall be of the like Effect, and be used and done in such like Manner and Form, as is before expressed.

VI. And whereas heretofore some Treasurers, Tellers, Receivers, Collectors and others, having had Charge of the Queen's Majesty's Money and Treasure, have gotten into their Hands great Sums of the Queen's Majesty's Money and Treasure since the Beginning of Her Majesty's Reign, and have most fraudulently employed Her Majesty's Money and Treasure which they had in their Charge, in sundry wise to their own Uses, partly in the purchasing her Majesty's own Lands, and partly in purchasing Lands of others: And to the Intent the same should not be liable to satisfy and pay her Majesty, her Heirs or Successors, of that which to her or them should appertain, have purchased the same sometimes in their own Names, and sometimes in the Names of sundry their Friends and Kinsfolks, Wives or Children, and yet nevertheless have taken and received the Rents and Revenues thereof to their own Uses:

Lands purchased
by Accountants
since the begin-
ning of the
Queen's Reign,
may be seized.

VII. Be it therefore further enacted and ordained by the Authority aforesaid, That all and singular Lands, Tenements and Hereditaments, which any Treasurer, Receiver, Teller, Customer, Collector, Officer or Accountant before named, hath heretofore since the Beginning of the Queen's Majesty's Reign purchased or caused to be purchased, to the Intent the same should not be liable, as is aforesaid (the Fraud and Covin aforesaid being first found by Office or Inquisition) shall and may be seized and taken by her Majesty, her Heirs and Successors, and retained by her Majesty, her Heirs and Successors, in Fee-simple, to be sold or otherwise used at her and their Wills and Pleasures, towards the Payment and Satisfaction of all and every Arrearages already set or determined and adjudged, or that hereafter shall be set, determined or adjudged, upon his or their Account (all reasonable and due Petitions being allowed) at such Rate and Value as the same were purchased or bought, or caused to be purchased or bought, by any such Treasurer, Receiver, Teller, Customer or Collector before named, or by any other Person to their Use.

VIII. Provided

VIII. Provided always, That if the Lands and Tenements so to be seized, taken or sold, by her Majesty, her Heirs or Successors, as is last above mentioned, do surmount, after the Rate and Value aforesaid, the Debt and Arrearages to be set, determined and adjudged upon the Account of any Treasurer, Receiver, Teller, Customer, Collector or Accomptant before named, that then her Majesty, her Heirs and Successors, shall take and seize only so much as shall amount, after the Rate and Value aforesaid, to the just Payment and Satisfaction of such Debt and Arrearages as hath been or shall be set, determined or adjudged upon his or their Account as is aforesaid.

But only so much Land as will satisfy her.

IX. Provided always, and be it further enacted by the Authority aforesaid, That no Bishop having the Collection of any Subsidy or Tenths, or any his Lands, Tenements or Hereditaments, whereof he is seized in the Right of his Bishoprick, shall be charged by virtue of this Act for any Arrearages of Tenths or Subsidy, otherwise or in any other Manner than he might lawfully have been before the making of this Act; any Thing herein contained to the contrary thereof notwithstanding.

Bishop's Lands not chargeable.

X. And be it also further provided and enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not in any wise extend to charge any Treasurer, Receiver, Teller, Customer, Collector or Accomptant aforesaid, having any yearly Receipt, nor any their Lands, Tenements or Hereditaments, whose yearly Receipt, Collection and Charge, or whose whole Receipt from the Beginning of his Charge, is not or hath not been, or hereafter shall not be, above the Sum of Three hundred Pounds; otherwise or in any other Manner and Form than he or they might lawfully have been charged before the making of this Act; any Thing herein contained to the contrary thereof notwithstanding.

Accountant whose Receipt exceedeth not 300^l.

XI. And forasmuch as sundry the Accountants before named, namely, The Treasurer of the Chamber, and Cofferer of the Household, of our said Sovereign Lady the Queen, her Heirs and Successors, Treasurers of Wars or Garrisons, Treasurers of the Navy, Treasurers or Receivers of any Sums of Money for Provision of Victual, or for Fortifications, or for Buildings, and Master of the Wardrobe, are by Order of their Offices and Charge, after their Accounts ended and determined, to disburse, expend and defray the Debt remaining upon their Accounts, in such Charges as are necessarily and incidently to be spent and provided in their Offices and Charges, so as they are not of such Sums of Money or Debt remaining upon their Account to make present Payment and Satisfaction as other Accountants are:

XII. Be it therefore enacted and ordained by the Authority aforesaid, That this Act or any Thing therein contained shall not extend to give any Power or Authority to make Sale of any Lands, Tenements or Hereditaments, for any such Debt to be set and adjudged in any of his or their Accounts mentioned in this Branch, unless the Queen's Majesty, her Heirs and Successors, upon the Ending or Determining of his or their Accounts (all his or their due Petitions to them upon the same Accounts being allowed) require or command present Payment thereof, or otherwise oftsoons require a new Account of the same Debt so set or remaining in any the Accounts mentioned in this Branch; and

Accountants which are not to make present Payment.

that then the same Debt, or any Part thereof, shall be found to be owing and unexpended in the Matters or Charges pertaining to any of their said Offices or Charges mentioned in this Branch, and the same Debt remain unpaid by the Space of Six Months after such Request or Commandment.

Proviso for
Sheriffs, &c.

XIII. Provided alway, That this Act shall not extend to charge any Sheriff, Escheator or Bailiff of Liberties, or the Lands, Tenements or Hereditaments of any Sheriff, Escheator or Bailiff of Liberties, nor of any their Heirs or Assigns, for any Thing touching his or their Office of Sherifffwick, Escheatorship or Bailiffwick, nor for any Money by him or them received or to be received by reason of any their said Offices, otherwise or in any other Manner than he or they might lawfully have been charged before the making of this Act; any Thing herein contained to the contrary notwithstanding.

Lands purchased
bonâ fide.

XIV. Provided also, That this Act, as touching only the Sale of any Lands or Tenements, shall not extend to any Lands, Tenements or Hereditaments, which any Person or Persons now have or enjoy, and have purchased or obtained *bonâ fide*, and not being privy or consenting unto any such Intent to defraud the Queen's Majesty, as is abovesaid; And that it shall be lawful to every Person and Persons whose Lands, Tenements or Hereditaments, shall by any Office or Inquisition be found to be fraudulently conveyed or assured, as is abovesaid, to have his or their lawful Traverse to every such Office or Inquisition; and if it be found with the Party that tendreth the Traverse, that then he shall have the said Lands out of the Prince's Hands without any Petition, Livery or *Ouster le main* (a), or any other Suit to be had, made or used; and the same being found for such Person or Persons so traversing, the same Lands, Tenements and Hereditaments, shall be adjudged as not liable, chargeable, nor to be sold by Force of this Statute. (a) [*Ouster le main taken away*, 12 Car. 2. c. 24. § 1.]

Traverse.

How far Sureties
shall be dis-
charged.

XV. Provided also, and be it enacted, That if the Queen's Majesty, her Heirs or Successors, shall by any Sale of Lands by Force of this Statute be fully satisfied of the Debt or Arrearages of any such Accountant or Debtor, or any Part thereof, then the Sureties of such Accountant or Debtor shall be discharged of so much of the said Debt, Forfeiture and Arrearage, as so shall be satisfied, and for the Residue only shall be ratably according to their Abilities charged; any Thing in this or any other Statute to the contrary notwithstanding.

“ Proviso for Henry Golding and Thomas Neale. § 16.

[This Act extended to Under Collectors of Tenths and Subsidies of the Clergy, 14 Eliz. c. 7. And see further as to this Act, 25 G. 3. c. 35.]

C A P. V.

An Act against Fraudulent Deeds, Gifts, Alienations, &c.

FOR the Avoiding and Abolishing of feigned, covinous and fraudulent Feoffments, Gifts, Grants, Alienations, Conveyances, Bonds, Suits, Judgments and Executions, as well of Lands and Tenements as of Goods and Chattels, more commonly used and practised in these Days than hath been seen or heard of heretofore: Which Feoffments, Gifts, Grants, Alienations, Conveyances,

Conveyances, Bonds, Suits, Judgments and Executions, have been and are devised and contrived of Malice, Fraud, Covin, Collusion or Guile, to the End, Purpose and Intent, to delay, hinder or defraud Creditors and others of their just and lawful Actions, Suits, Debts, Accounts, Damages, Penalties, Forfeitures, Heriots, Mortuaries and Reliefs, not only to the Let or Hindrance of the due Course and Execution of Law and Justice, but also to the Overthrow of all true and plain Dealing, Bargaining and Chevisance between Man and Man, without the which no Commonwealth or civil Society can be maintained or continued :

II. Be it therefore declared, ordained and enacted by the Authority of this present Parliament, That all and every Feoffment, Gift, Grant, Alienation, Bargain and Conveyance of Lands, Tenements, Hereditaments, Goods and Chattels, or of any of them, or of any Lease, Rent, Common or other Profit or Charge out of the same Lands, Tenements, Hereditaments, Goods and Chattels, or any of them, by Writing or otherwise, and all and every Bond, Suit, Judgment and Execution at any Time had or made sithence the Beginning of the Queen's Majesty's Reign that now is, or at any Time hereafter to be had or made, to or for any Intent or Purpose before declared and expressed, shall be from henceforth deemed and taken (only as against that Person or Persons, his or their Heirs, Successors, Executors, Administrators and Assigns, and every of them, whose Actions, Suits, Debts, Accounts, Damages, Penalties, Forfeitures, Heriots, Mortuaries and Reliefs, by such guileful, covinous or fraudulent Devices and Practises, as is aforesaid, are, shall or might be in any ways disturbed, hindered, delayed or defrauded) to be clearly and utterly void, frustrate and of none Effect; any Pretence, Colour, feigned Consideration, expressing of Use, or any other Matter or Thing to the contrary notwithstanding.

Fraudulent
Conveyances
void.

III. And be it further enacted by the Authority aforesaid, That all and every the Parties to such feigned, covinous or fraudulent Feoffment, Gift, Grant, Alienation, Bargain, Conveyance, Bonds, Suits, Judgments, Executions and other Things before expressed, and being privy and knowing of the same, or any of them; which at any Time after the Tenth Day of June next coming shall wittingly and willingly put in Ure, avow, maintain, justify or defend the same, or any of them, as true, simple, and done, had or made *bonâ fide* and upon good Consideration; or shall alien or assign any the Lands, Tenements, Goods, Leases or other Things before mentioned, to him or them conveyed as is aforesaid, or any Part thereof; shall incur the Penalty and Forfeiture of one Year's Value of the said Lands, Tenements and Hereditaments, Leases, Rents, Commons or other Profits, of or out of the same; and the whole Value of the said Goods and Chattels; and also so much Money as are or shall be contained in any such covinous and feigned Bond; the one Moiety whereof to be to the Queen's Majesty, her Heirs and Successors, and the other Moiety to the Party or Parties grieved by such feigned and fraudulent Feoffment, Gift, Grant, Alienation, Bargain, Conveyance, Bonds, Suits, Judgments, Executions, Leases, Rents, Commons, Profits, Charges and other Things aforesaid, to be recovered in any of the Queen's Courts of Record by Action of Debt, Bill, Plaint or Information,

Penalty.

Penalties how
recovered, &c.

wherein no Effoin, Protection or Wager of Law shall be admitted for the Defendant or Defendants; and also being thereof lawfully convicted, shall suffer Imprisonment for one Half Year without Bail or Mainprife.

Common Recoveries.

IV. Provided always, and be it further enacted by the Authority aforesaid, That whereas sundry common Recoveries of Lands, Tenements and Hereditaments have heretofore been had, and hereafter may be had against Tenant in Tail, or other Tenant of the Freehold, the Reversion or Remainder, or the Right of Reversion or Remainder, then being in any other Person or Persons; that every such common Recovery heretofore had, and hereafter to be had, of any Lands, Tenements or Hereditaments, shall, as touching such Person and Persons which then had any Remainder or Reversion, or Right of Remainder or Reversion, and against the Heirs of every of them, stand, remain and be of such like Force and Effect, and of none other, as the same should have been if this Act had never been had ne made.

Formedon.

V. Provided always, and be it further enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not extend to make void any Estate or Conveyance, by reason whereof any Person or Persons shall use any Voucher in any Writ of *Formedon*, now depending or hereafter to be depending, but that all and every such Vouchers in any Writ of *Formedon* shall stand and be in like Force and Effect, as if this Act had never been had ne made; any Thing before in this Act contained to the contrary notwithstanding.

Estates made *bonâ fide*.

VI. Provided also, and be it enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not extend to any Estate or Interest in Lands, Tenements, Hereditaments, Leases, Rents, Commons, Profits, Goods or Chattels, had, made, conveyed or assured, or hereafter to be had, made, conveyed or assured, which Estate or Interest is or shall be upon good Consideration and *bonâ fide* lawfully conveyed or assured to any Person or Persons, or Bodies Politick or Corporate, not having at the Time of such Conveyance or Assurance to them made, any Manner of Notice or Knowledge of such Covin, Fraud or Collusion as is aforesaid; any Thing before mentioned to the contrary hereof notwithstanding.

Contiguance.

VII. This Act to endure unto the End of the First Session of the next Parliament.

[*Made perpetual, 29 Eliz. c. 5. § 1, 2. and see 27 Eliz. c. 4.*]

C A P. VI.

An Act that the *Constats* and Exemplifications of Letters Patents, shall be as good and available, as the Letters Patents themselves.

3 & 4 E. 6. c. 4. **F**OR the avoiding of all such Doubts, Questions and Ambiguities, as heretofore have risen and been moved, and of such as hereafter might rise and be moved, in and upon the Statute made in the Parliament begun and holden at *Westminster* the Fourth Day of *November* in the Third Year of the Reign of our late Sovereign Lord King *Edward* the Sixth, intituled, *An Act concerning Grants and Gifts made by Patentees out of Letters Patents*

' Patents, and for a due and full Supply of all such Wants as may be thought to be therein :'

II. Be it enacted and declared by the Authority of this present Parliament, That all and every Patentee and Patentees, their Heirs, Successors, Executors and Assigns, and all and every other Person and Persons, having by or from them, or any of them, or under their Title, any Estate or Interest, of, in or to any Lands, Tenements or Hereditaments, or any other Thing whatsoever, to such Patentee or Patentees heretofore granted by any Letters Patents, either of the most famous Princes, King *Henry* the Eighth, King *Edward* the Sixth, Queen *Mary*, King *Philip* and Queen *Mary*, or by any of them, or by the Queen's most Excellent Majesty that now is, at any Time sithence the Fourth Day of *February* in the Twenty seventh Year of the Reign of the said late King *Henry* the Eighth, or else by the Queen's Majesty that now is, her Heirs or Successors, at any Time hereafter to be granted, shall and may at all Times hereafter in any of the Queen's Highness Courts, her Heirs and Successors, or elsewhere, by the Authority of this present Act, make and convey, and be allowed and suffered to make and convey, to and for him, them and every of themselves, such Claim or Title by way of Declaration, Plaint, Avowry, Bar, Replication or other Pleading whatsoever, as well against the Queen's Highness, her Heirs and Successors, and every of them, as against all and every other Person and Persons whatsoever, for or concerning the Lands, Tenements, Hereditaments or other Things whatsoever, specified or contained in any such Letters Patents, or of, for or concerning any Part or Parcel thereof, by shewing forth an Exemplification or *Constat* under the Great Seal of *England* of the Enrolment of the same Letters Patents, or of so much thereof as shall and may serve to or for such Title, Claim or Matter, the same Letters Patents then being and remaining in Force, not lawfully surrendered nor cancelled, for or concerning so much and such Part and Parcel of such Lands, Tenements, Hereditaments or other Thing whereunto such Title or Claim shall be made, as if the same Letters Patents self were pleaded and shewed forth ; any Law, Usage or other Thing whatsoever to the contrary notwithstanding.

Force of Exemplification of Letters Patents.

C A P. VII.

An Act touching Orders for Bankrupts.

' FORASMUCH as notwithstanding the Statute made against Bankrupts in the Thirty fourth Year of the Reign of our late Sovereign Lord King *Henry* the Eighth, those kind of Persons have and do still increase into great and excessive Numbers, and are like more to do, if some better Provision be not made for the Repression of them, and for a plain Declaration to be made and set forth, who is and ought to be taken and deemed for a Bankrupt :'

Therefore be it enacted and established by the Authority of this present Parliament, That if any Merchant or other Person, using or exercising the Trade of Merchandize by way of Bargaining, Exchange, Rechange, Bartry, Chevisance, or otherwise, in Gros or by Retail, or seeking his or her Trade of Living by Buying and Selling, and being Subject born of this Realm, or of any the Queen's Dominions, or Denizen, sithence the First Day of this present Parliament hath, or at any Time hereafter shall depart the Realm ; or begin to keep his or her House

34 & 35 H. 8.
c. 4

Description of Bankrupt.

or

or Houses, or otherwise to absent him or herself; or take Sanctuary(a); or suffer him or herself willingly to be arrested for any Debt or other Thing, not grown or due for Money delivered, Ware sold, or any other just or lawful Cause, or good Consideration or Purposes, hath or will suffer him or herself to be outlawed, or yield him or herself to Prison, or depart from his or her Dwelling-house or Houses, to the Intent or Purpose to defraud or hinder any of his or her Creditors, being also a Subject born as is aforesaid, of the just Debt or Duty of such Creditor or Creditors, shall be reputed, deemed and taken for a Bankrupt.

(a) [*Sanctuary taken*

away, 21 Jac. 1. c. 28. § 7.]

Lord Chancellor
may grant a
Commission to
take Order for
Bankrupts Bo-
dy, &c.

Authority of
Commissioners.

Commissioners
may sell Bank-
rupts Lands, &c.

II. And be it enacted by the Authority aforesaid, That the Lord Chancellor of *England*, or Lord Keeper of the Great Seal of *England*, for the Time being, upon every Complaint made to him in Writing, against any such Person or Persons being Bankrupt as is before defined, shall have full Power and Authority by Commission under the Great Seal of *England*, to name, assign and appoint such wife and honest discreet Persons as to him shall seem good: Who or the most Part of them, by virtue of this Act and of such Commission, shall have full Power and Authority to take by their Discretions such Order and Direction with the Body and Bodies of such Person wheresoever he or she may be had, either in his or her House or Houses, Sanctuary or elsewhere, as well by Imprisonment of his or her Body or Bodies; as also with all his or her Lands, Tenements, Hereditaments, as well Copy or Customary Hold as Freehold, which he or she shall have in his or her own Right before he or she became Bankrupt; and also with all such Lands, Tenements and Hereditaments, as such Person shall have purchased, or obtained for Money or other Recompence, jointly with his Wife, Children or Child, to the only Use of such Offender or Offenders; or of or for such Use, Interest, Right or Title as such Offender or Offenders then shall have in the same, which he or she may lawfully depart withal; or with any Person or Persons of Trust to any secret Use of such Offender or Offenders; and also with his or her Money, Goods, Chattels, Wares, Merchandises and Debts, wheresoever they may be found or known; and cause the said Lands, Tenements, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandises and Debts to be searched, viewed, rented and appraised to the best Value they may; and by Deed indented, inrolled in one of the Queen's Majesty's Courts of Record, to make Sale of the said Lands, Tenements and Hereditaments, and of all Deeds, Writings and Evidences touching only the same, belonging to such Offender or Offenders, Debtor or Debtors; and also of all Fees, Annuities, Offices, Goods and Chattels; or otherwise to order the same for true Satisfaction and Payment of the said Creditors; that is to say, To every of the said Creditors a Portion, Rate and Rate like, according to the Quantity of his or their Debts: And that every Direction, Order, Bargain, Sale and other Things done by the said Persons so authorized as is aforesaid, in Form aforesaid, shall be good and effectual in the Law, to all Intents, Constructions and Purposes, against the said Offender or Offenders, Debtor or Debtors, his or their Wife or Wives, Heir or Heirs, Child and Children, and such Person and Persons as by such joint Purchase with the said Offender or Offenders as is aforesaid have or shall have any Estate or Interest

in the Premises; and against all other Person or Persons claiming by, from or under such Offender or Offenders, Debtor or Debtors, by any Act or Acts had, made or done after any such Person shall become Bankrupt as is aforesaid; and also against the Lords of the Manors, whereof the said Copyhold or Customary Lands been holden, their Heirs, Successors and Assigns, and every of them.

III. Provided always, and be it enacted by the Authority aforesaid, That all and every Person or Persons, to whom any such Sale of Copyhold or Customary Lands or Tenements shall be made, shall, before such Time as they or any of them shall enter or take any Profit of the same Lands or Tenements, agree and compound with the Lords of the Manors of whom the same shall be holden, for such Fines or Incomes as heretofore hath been most usual and accustomed to be yielded or paid therefore: And that upon every such Agreement or Composition, the said Lords for the Time being, at the next Court to be holden at or for the said Manors, shall not only grant unto the said Vendee or Vendees upon Request, the same Copy or Customary Lands or Tenements by Copy of Court Roll of the same Manors for such Estate or Interest as to them shall be so sold, and reserving the ancient Rents, Customs and Services, but also in the same Court admit them Tenants of the same Copy or Customary Lands, as, other Copyholders of the same Manors have been wont to be admitted, and to receive their Fealty accordingly.

Vendees of Copyhold Lands shall compound for Fines, &c.

IV. Provided always, and be it enacted by the Authority aforesaid, That such of the said Commissioners as shall put the said Commission in Execution, shall upon lawful Request to them made by the said Bankrupts, not only make a true Declaration to the same Bankrupt, of the employing and bestowing of their said Lands, Tenements, Offices, Fees, Goods, Chattels and Debts so paid and satisfied to their said Creditors, but also make Payment of the Overplus of the same, if any such shall be, to the said Bankrupts, their Executors, Administrators or Assigns.

Commissioners to account with Bankrupt.

V. And be it further enacted by Authority aforesaid, That if, after any such Act or Offence committed, and Complaint thereof made to the said Commissioners so to be appointed as is aforesaid, or the more Part of them, by any Party grieved as is aforesaid, concerning the Premises (a), knowing, supposing or suspecting any of the Goods, Chattels, Wares, Merchandises or Debts of such Offender or Offenders, Debtor or Debtors, to be in the Custody, Use, Occupying, Keeping or Possession of any Person or Persons, or any Person or Persons to be indebted to any such Offender or Offenders, do make Relation thereof to the said Commissioners so to be appointed or the more Part of them; that then the said Commissioners, or the most Part of them, shall by virtue hereof and of the said Commission have full Power and Authority to send for and call before them by such Process, Ways or Means as they shall think convenient by their Discretions, all and every such Person and Persons so known, suspected or supposed to have any such Goods, Chattels, Wares, Merchandises or Debts in his or their Custody, Use, Occupation, Keeping or Possession, or supposed or suspected to be indebted to such Offender or Offenders;

Where Goods or Debts of Bankrupts be in the Hands of others.

Remedy.

(a) [There is evidently something wanting here, but the Roll is so.]

and upon their Appearance to examine them and every of them, as well by their Oaths as otherwise, by such Ways and Means as the said Commissioners or the more Part of them by their Discretions shall think meet and convenient, for and upon the Specialty, Certainty, true Declaration and Knowledge of all and singular such Goods, Chattels, Wares, Merchandises and Debts of any such Offender or Offenders, as be supposed or suspected to be his or their Custody, Use, Occupation or Possession, and all such Debts as by them or any of them shall be supposed or suspected to be owing to any such Offender or Offenders.

Refusing to swear
or to tell the
Truth.

VI. And if any such Person or Persons upon such Examination do not disclose and plainly declare, and shew the whole Truth of such Things as he or they shall be examined of concerning the Premises to his Knowledge, or do deny to swear; then every such Person or Persons so denying to swear, or being examined do not declare the plain and whole Truth concerning the Premises, upon due Proof thereof to be made before the said Commissioners, or the more Part of them so to be appointed as is aforesaid, by Witness, Examination or otherwise, as to the said Commissioners or the more Part of them shall seem sufficient in that Behalf, shall lose and forfeit double the Value of all such Goods, Chattels, Wares, Merchandises and Debts by them or any of them so concealed, and not wholly and plainly declared and shewed: Which Forfeiture shall be levied by the said Commissioners or the more Part of them, of the Lands, Tenements, Hereditaments, Goods and Chattels of such Person so denying to swear, or not disclosing the whole Truth as is aforesaid, by such Ways and Means, and in such Manner and Form, as is before limited and appointed for the principal Offender or Offenders, Debtor or Debtors; and the same Forfeiture or Forfeitures to be distributed or employed to and for the Satisfaction and Payment of the Debts of the said Creditor or Creditors, in such like Manner, Rate and Form, as is before declared concerning the ordering of the Lands and Tenements, Offices, Fees, Goods and Chattels of such Offender or Offenders, Debtor or Debtors, as is aforesaid.

[See further, 1 Jac. 1.

c. 15. § 10. 21 Jac. 1. c. 19.]

Retaining Goods
as Bankrupts.

VII. And be it further enacted, That if at any Time before or after that any such Person or Persons departeth the Realm, or shall keep his or their House or Houses, or otherwise absent him or themselves, or take Sanctuary, or suffer him or themselves to be arrested, outlawed, or yield his or their Bodies to Prison as is aforesaid, any Person or Persons do fraudulently by Covin or Collusion, claim, demand, recover, possess or detain any Debts, Duties, Goods, Chattels, Lands or Tenements, by Writing, Trust or otherwise, which were or shall be due, belonging or appertaining to any such Offender or Offenders, other than such as he or they can and do prove to be due by Right and Conscience in Form aforesaid for Money paid, Wares delivered, or other just Consideration or Cause reasonable, to the just Value thereof, before the said Commissioners so to be appointed, or the more Part of them, as is aforesaid, and the same to proceed *bona fide*, without Fraud or Covin: That then every such Person or Persons so craftily demanding, claiming, having, possessing or detaining any such Debt, Duty or other Thing as is aforesaid, shall forfeit and lose double as much as he or they shall so claim, demand, detain or possess; which said Forfeiture shall

shall be levied, recovered and employed in Manner and Form as is afore rehearsed. *[As to concealing Trust Estate, &c. § 5 G. 2. c. 30. § 21.]* Penalty.

VIII. Provided also, and be it enacted by the Authority afore-
said, That if it shall fortune the Creditors of any such Bankrupt as is afore-
said, to be satisfied and paid off their Debts and Duties of, or with the proper Lands, Tenements, Goods, Chattels and Debts of the said Bankrupts, or of or with the same and some Part of the Forfeitures of the said double Values to be forfeited as is afore-
said, and that there shall remain an Overplus of the said Forfeitures of the said double Values: That then the one Moiety of the said Overplus of the said Forfeitures of the double Values so remaining shall be by the said Commissioners so executing the said Commission, within convenient Time after the levying thereof, paid unto the Queen's Majesty, her Heirs and Successors; and the other Moiety thereof shall be by the said Commissioners employed and distributed to and amongst the Poor within the Hospitals in every City, Town or County, where any such Bankrupt shall happen to be; any Thing in this Act to the contrary thereof notwithstanding. How Penalties bestowed after Bankrupt's Debts paid.

IX. And be it further enacted by Authority afore-
said, That if any such Person or Persons which is or shall be indebted, do of Purpose withdraw him or themselves out of or from his or their usual Mansion House or Houses; that then upon Complaint thereof made to the said Commissioners, having Authority as is afore-
said, the same Commissioners or the more Part of them shall by Virtue and Authority of this present Act have full Power and Authority to award Five Proclamations to be made in the Queen's Name, upon Five sundry Market-days, in such Places near the Place where such Bankrupt hath most commonly dwelled or made his Abode, commanding him or them by the same Proclamation in the Queen's Name, to return with all convenient Speed, and to yield his or their Body before the said Commissioners having Authority as is afore-
said, or one of them, at such Time and Place as by the said Proclamation shall be appointed: And if the said Person do not according to such Proclamation, repair and yield his or their Body as is afore-
said, That then the Body of all and every such Offender or Offenders shall be adjudged, taken and deemed, to all Intents and Purposes, out of the Queen's Protection: And that also every Person and Persons that shall willingly and wittingly help to hide or convey, or shall willingly and wittingly receive, detain or keep secretly, any Person or Persons so demanded by Proclamation, as is afore-
said, shall suffer such Pains by Imprisonment of his or their Bodies, or pay such Fine to our Sovereign Lady the Queen's Majesty, her Heirs and Successors, as to the said Lord Chancellor or Lord Keeper of the Great Seal (being informed thereof by the Commissioners so to be appointed, as is afore-
said, or the more Part of them) shall seem meet and convenient for their said Offence or Offences. Withdrawing from Dwelling-place.

X. Provided always, and be it further enacted, That if the Creditors of any such Offender or Offenders, Debtor or Debtors, which so do depart the Realm, keep his or their House or Houses, or otherwise absent or withdraw him or themselves into Places unknown, or take Sanctuary (a), or will suffer him or themselves Proclamations.

(a) [See Note to § 1.]

Remedy.

to be arrested or outlawed, or yield his or their Bodies into Prison purposely and for the Causes aforesaid, be not fully satisfied, or otherwise contented for their Debts and Duties, by the Ways and Means before specified and declared: That then the said Creditor or Creditors, and every of them, shall and may have their Remedy for the Recovery and Levying of the Residue of their said Debts or Duties whereof they shall not be fully satisfied, paid or otherwise contented in Form aforesaid, against the said Offender or Offenders, in like Manner and Form as they should and might have had before the making of this Act: And that the said Creditor or Creditors, and every of them, shall be only barred and excluded by Virtue of this Act, of and for every such Part and Portion of the said Debts and Duties as shall be paid, satisfied, distributed or delivered unto him or them, by Order of the said Persons, as is aforesaid, and of no more Portion or Parcel thereof; any Thing herein specified that may be taken or construed to the contrary notwithstanding.

Lands, &c. purchased, or descended to a Bankrupt.

XI. Provided always, and be it also enacted by the Authority aforesaid, That if any Person or Persons which is or shall be published and declared to be a Bankrupt by Virtue of this Act, shall at any Time after purchase any Lands, Tenements, Hereditaments, Free or Copy, Offices, Fees, Goods or Chattels: Or that any Lands, Tenements, Hereditaments, Free or Copy, Offices, Fees, Goods or Chattels, shall descend, revert or by any Means come to any such Person or Persons, being Bankrupts as is aforesaid, before such Time as their Debts due to their Creditors shall be fully satisfied and paid, or otherwise agreed for; that then the said Lands, Tenements, Hereditaments, as well Free as Copy, Offices, Fees, Goods and Chattels, shall by Virtue of this Act, by the said Commissioners to be appointed, as is aforesaid, or the more Part of them, be bargained, sold, extended, delivered and used for and towards the Payment of the said Creditors, in such like Manner and Form as other the Lands, Tenements, Hereditaments, Free or Copy, Offices, Fees, Goods and Chattels of the said Bankrupts, which they had when they were declared first to be Bankrupts, should or might have been bargained, sold, disposed or used by Virtue of this Act.

Lands conveyed away before Party become Bankrupt.

XII. Provided always, That this Act shall not extend to any Lands, Tenements or Hereditaments, Free or Copyhold, which heretofore have been assured by any such Bankrupt, or hereafter shall be assured by any Bankrupt before he become Bankrupt: So always that such Assurance be made *bonâ fide*, and not to the Use of the Bankrupt himself only, or of his Heirs: And that the Parties to whose Use such Assurance hath or shall be made, be not at or before the making of such Assurance, privy or consenting to the fraudulent Purpose of any such Bankrupt, to deceive his Creditors.

[See 5 G. 2. c. 30.]

C A P. VIII.

An Act against Usury.

37 H. 8. c. 9.
§ 2.

‘ **W**HEREAS in the Parliament holden the Seven and thirtieth Year of the Reign of our late Sovereign Lord King *Henry* the Eighth, of famous Memory, there was then made and established one good Act for the Reformation of Usury:

‘ Usury: By which A^d the Vice of Usury was well repressed, and
 ‘ specially the corrupt Chevisance and Bargaining by way of Sale
 ‘ of Wares, and Shifts of Interest: And where since that Time
 ‘ by one other A^d made in the Fifth and Sixth Years of the Reign
 ‘ of our late Sovereign Lord King *Edward* the Sixth, the said
 ‘ former A^d was repealed, and new Provisoos for repressing of
 ‘ Usury devised and enacted: Which said latter A^d hath not done
 ‘ so much good as was hoped it should, but rather the said Vice
 ‘ of Usury, and specially by way of Sale of Wares and Shifts of
 ‘ Interest, hath much more exceedingly abounded, to the utter
 ‘ undoing of many Gentlemen, Merchants, Occupiers and others,
 ‘ and to the importable Hurt of the Commonwealth, as well for
 ‘ that in the said later A^d there is no Provision against such corrupt
 ‘ Shifts and Sales of Wares, as also for that there is no Difference
 ‘ of Pain, Forfeiture or Punishment upon the greater or lesser
 ‘ Exactions and Oppressions by Reason of Loans upon Usury:’

5 & 6 E. 6. c. 20.

II. Be it therefore enacted, That the said later Statute made
 in the Fifth and Sixth Years of the Reign of King *Edward* the
 Sixth, and every Branch and Article of the same, from and after
 the Five and twentieth Day of *June* next coming, shall be utterly
 abrogated, repealed and made void: And that the said late A^d
 made in the said seven and thirtieth Year of King *Henry* the Eighth,
 from and after the said Five and twentieth Day of *June* next com-
 ing, shall be revived and stand in full Force, Strength and Effect.

5 & 6 E. 6. c. 20.
 repealed.
 37 H. 8. c. 9.
 revived.

III. And be it further enacted, That all Bonds, Contracts and
 Assurances, collateral or other, to be made for Payment of any
 Principal or Money to be lent, or Covenant to be performed
 upon or for any Usury in lending or doing of any Thing against
 the said A^d now revived, upon or by which Loan or Doing
 there shall be reserved or taken above the Rate of Ten Pounds
 for the Hundred for one Year, shall be utterly void.

What Contracts,
 &c. void.

IV. And be it further enacted, That all Brokers, Solicitors and
 Drivers of Bargains for Contracts or other Doings against the said
 Statute now revived, whereupon shall be reserved or taken more
 than after the Rate of Ten Pounds for the Loan of One hundred
 Pound for a Year, shall be to all Intents and Purposes judged,
 punished and used as Counsellors, Attornies or Advocates in any
 case of *Premunire*.

‘ V. And forasmuch as all Usury, being forbidden by the Law
 ‘ of God, is Sin and detestable,’ Be it enacted, That all Usury,
 Loan and forbearing of Money, or giving Days for forbearing of
 Money, by Way of Loan, Chevisance, Shifts, Sales of Wares,
 Contracts or other Doings whatsoever, for Gain, mentioned in the
 said Statute, which is now revived, whereupon is not † reserved
 or taken, or covenanted to be reserved, payed or given to the Len-
 der, Contractor, Shifter, Forbearer or Deliverer, above the Sum of
 Ten Pound for the Loan or forbearing of a Hundred Pound for
 one Year, or after that Rate for a more or lesser Sum or Time,
 shall be from the Five and twentieth Day of *June* next coming
 punished in Form following; that is to say, That every such
 Offender against this Branch of this present Statute, shall forfeit
 so much as shall be reserved by Way of Usury above the Principal,
 for any Money so to be lent or forborn: All such Forfeitures to be
 recovered and employed as is limited for Forfeitures by the said
 former Statute now revived.

Brokers, &c.
 making *faine*,
Premunire.
 Taking more
 than 10l. for
 the Loan of
 100l.
 † S. .

Penalty.

Who may determine Offences.

VI. And be it further enacted, That Justices of *Oyer and Determiner*, and Justices of Assize in their Circuits, Justices of Peace in their Sessions, Mayors, Sheriffs and Bailiffs of Cities, shall also have full Power and Authority to enquire, hear and determine of all and singular Offences committed against the said Statute now revived.

37 H. 8. c. 9.

VII. And be it further enacted, That the said Statute now revived shall be most largely and strongly construed for the repressing of Usury, and against all Persons that shall offend against the true Meaning of the said Statute, by any Way or Device, directly or indirectly.

VIII. Provided alway, That this Statute doth not extend, nor shall be expounded to extend unto any Allowances or Payments for the finding of Orphans, according to the ancient Rates or Customs of the City of *London*, or any other City where like Order is for the Custody of Orphans and their Goods, as is in the said City of *London*.

Punishment by Ecclesiastical Law.

IX. Provided always, and be it further enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the said Five and twentieth Day of *June*, offend contrary to the said Statute revived by this present Act, made in the Seven and thirtieth Year of the Reign of the said late King *Henry* the Eighth; that then all and every such Offender and Offenders shall and may also be punished and corrected, according to the Ecclesiastical Laws heretofore made against Usury: And that all and every Person and Persons offending in Usury, Shifts or Chevisance, against this present Act, and not taking or receiving, but only after the Rate of Ten Pounds in the Hundred or under for a Year, shall be only punished by the Pains and Forfeitures provided and appointed by this Act, against such as shall not take or receive over and above the Rate of Ten Pounds in the Hundred for a Year, and not otherwise. This Act to continue and endure for and during the Space of Five Years next after the End of this present Parliament, and from thence unto the End of the First Session of the Parliament then next ensuing. [Made perpetual, 39 Eliz. c. 18. § 30. 32.]

Continuance of Act.

X. And be it further enacted by the Authority aforesaid, That if this present Act shall not be continued in the First Session of the Parliament next ensuing the said Term of Five Years, and then in the same Session no other Statute or Provision made against Usury or corrupt Chevisance; that then all and every the Laws and Statutes repealed by this Act shall remain and be of such like Force and Effect as if this present Act had never been had made.

[See, as to Reduction of Interest, 21 Jac. 1. c. 17. 12 Car. 2. c. 13. 12 Ann. Stat. 2. c. 16.]

C A P. IX.

An Act for the Commission of Sewers.

23 H. 8. c. 5.
3 & 4 E. 6. c. 2.

‘FORASMUCH as no Commission of Sewers, by the Estates heretofore made, may have Continuance above the Space of Five Years:’ Be it therefore enacted by the Queen’s most Excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled,

assembled, and by the Authority of the same, That from henceforth all and every Commission and Commissions of Sewers now standing in force, or that hereafter shall be granted and made, shall stand and continue in force for the Term of Ten Years next ensuing the Date of every such Commission, unless the same Commission or Commissions be or hereafter shall be repealed or determined by reason of any new Commission in that Behalf made, or by *Superfedeas*; and that all such Laws, Ordinances and Constitutions as be or shall be duly made by Force of any such Commission, according to the Tenor and Effect limited in any former Statute heretofore made touching Commission or Commissions of Sewers, and being written in Parchment indented, and under the Seals of the said Commissioners, or Six of them (whereof the one Part shall remain with the Clerk appointed and to be appointed for the Commission of Sewers for the Time being, and the other Part in such Place as the same Commissioners, or Six of them, shall order and appoint) shall, without any Certificate thereof to be made into the Court of Chancery, and without the Royal Assent to the same had, stand and continue in full Force and Effect, notwithstanding any Determination of any such Commission by *Superfedeas*, until such Time as the same Laws, Constitutions and Ordinances shall be altered, repealed or made void by the Commissioners after to be assigned and appointed for Sewers in those Parts where the same Laws, Ordinances and Constitutions were made, ordained and constituted, or by Six of them.

Commissions of Sewers to continue Ten Years.

Orders of Commissioners to be of Force.

II. And be it further enacted by the Authority aforesaid, That at all Times from and after the End and Expiration of the Term of Ten Years next ensuing the Date or *Teste* of any Commission of Sewers hereafter to be made, all such Laws, Ordinances and Constitutions as were made by virtue of any such Commission, and written in Parchment indented and sealed as is above mentioned, without Certificate thereof, or the Assent Royal to the same had as is aforesaid, shall, notwithstanding the Determination of any such Commission by the Expiration of the Term of Ten Years next ensuing the Date of any such Commission of Sewers, likewise continue in Force for and by the Space of One whole Year then next ensuing; and that the Justices of Peace in the Shire and Shires where the same Laws, Ordinances and Constitutions are to be executed within their several Commissions or Limits, or Six of them, whereof Two to be of the *Quorum*, shall have Power and Authority, by the Space of One whole Year next after the Expiration of every such Commission, to execute the same Laws, Ordinances and Constitutions, and every of them, as fully and in as ample a Manner and Form as the Commissioners, or any of them, named and appointed in every or any Commission so expired, might or should have done, to all Intents and Purposes as if the said Commission or Commissions had continued in Force.

Commissioners Orders to continue.

Justices may for One Year execute Commission of Sewers.

III. Provided always, and be it nevertheless enacted, That if any new Commission of Sewers shall be made within the said Year, that then immediately from and after such Commission newly made and published, the Power of the said Justices of the Peace, and every of them, in any wise concerning the Execution of any such Laws, Ordinances and Constitutions of Sewers, shall utterly

Provis.

cease; any Thing or Things in this Act to the contrary expressed in any wise notwithstanding.

What Farmers
of Land not to
be Commis-
sioners.

IV. And be it further enacted, That no Farmer or Farmers for Term of Years, of any Manors, Lands or Tenements lying or being within the Precincts or Limits of any such Commission of Sewers, which be or hereafter may be ordered and chargeable by any Laws, Ordinances or Constitutions made or to be made by virtue of any such Commission, wherein he or they shall be named or appointed Commissioner or Commissioners not having Estate of Freehold within the Realm of *England*, of or in Manors, Lands or Tenements of the yearly Value of Forty Pounds, shall at any Time hereafter have Power to sit, or in any wise intermeddle with the Execution of such Commission or Commissions, during the Time he or they shall continue or be such Farmer or Farmers of any such Manors, Lands or Tenements, and shall not have Estate of Freehold as is aforesaid; but that every such Commission, as having respect only to every such Person or Persons for such and so long Time as he or they shall so be and continue Farmer or Farmers of any such Manors, Lands or Tenements shall be deemed and adjudged in Law to be as void and of none Effect; any Thing in the same Commission, or any Statute or Law heretofore made to the contrary notwithstanding.

Certificate or
Return of Com-
mission.

V. And be it further enacted by the Authority aforesaid, That from henceforth the said Commissioners, nor any of them, shall not be compelled or compellable to make any Certificate or Return of the said Commissions, or any of them, or of any their Ordinances, Laws or Doings by the Authority of any the said Commissions, nor shall not have any Fine, Pain or Amerciament set upon them, or any of them, or any ways to be molested in Body, Lands or Goods for that Cause.

Fines, &c. to be
estreated into
Exchequer.

VI. And yet nevertheless, to the Intent the Queen's Majesty our Sovereign Lady, her Heirs and Successors, may at all Times hereafter be truly answered of all such Issues, Fines and Amerciaments as shall happen, grow or be forfeited by virtue of any such Commission, or by the Execution thereof; Be it also enacted, That the Clerk and Clerks appointed, and hereafter to be appointed, for and in any such Commission and Commissions of Sewers, shall yearly truly estreat all the said Issues, Fines, Penalties, Forfeitures and Amerciaments that shall be due and answerable to her Highness, her Heirs and Successors; and the same Estreats shall yearly deliver into the Court of the Exchequer at such Time and Times, and in such Manner and Form as Justices assigned to and for the Conservation of the Peace in any wise should or ought to do by virtue of their Commission, upon Pain to forfeit to our Sovereign Lady the Queen, her Heirs and Successors, for every Default in that Behalf made, Five Pounds.

Penalty.

In what Case
Farmer of Lands
may be Com-
missioner.

VII. Provided always, That it shall be lawful for any Commissioner, being also a Farmer, and not having Lands and Tenements to the clear yearly Value of Forty Pounds of Freehold, to sit by virtue of the said Commission, and have his Voice and full Authority with others to make and establish Ordinances for Sewers, according to the Tenor of the Commission, touching and concerning all Lands and Tenements within the Precinct of every such Commission, other than such Lands and Tenements as he or they, for the

the Time being, hold and enjoy as Farmer, as he or they might have done before the making of this Statute; any Thing therein contained to the contrary notwithstanding.

C A P. X.

An Act against Frauds, defeating Remedies for Dilapidations.

WHERE divers and sundry Ecclesiastical Persons of this Realm, being endowed and possessed of ancient Palaces, Mansion Houses and other Edifices and Buildings, belonging to their Ecclesiastical Benefices or Livings, have of late Years not only suffered the same for want of due Reparations partly to run to great Ruin and Decay, and in some Part utterly to fall down to the Ground, converting the Timber, Lead and Stones to their own Benefit and Commodity; but also have made Deeds of Gift, colourable Alienations, and other Conveyances of like Effect, of their Goods and Chattels in their Lives-time, to the Intent and of Purpose, after their Deaths, to defeat and defraud their Successors of such just Actions and Remedies as otherwise they might and should have had for the same against their Executors or Administrators of their Goods, by the Laws Ecclesiastical of this Realm, to the great Defacing of the State Ecclesiastical, and intolerable Charges of their Successors, and evil Precedent and Example for others, if speedy Remedy be not provided:

II. Be it therefore enacted by the Queen's most Excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Archbishop, Bishop, Dean, Archdeacon, Provost, Treasurer, Chaunter, Chancellor, Prebendary or any other having any Dignity or Office in any Cathedral or Collegiate Church within this Realm; or if any Parson, Vicar or other Incumbent of any Ecclesiastical Living whereunto do belong any House or Houses, or other Buildings, which by Law or Custom he is bound to keep and maintain in Reparation, do from henceforth make any Deed or Deeds of Gift or Alienation, or other like Conveyances of his moveable Goods or Chattels, to the Intent and Purpose aforesaid; that then the Successor and Successors of him that shall make such Deed or Deeds of Gift or Alienation, shall and may commence Suit, and have such Remedy in any Court Ecclesiastical of this Realm competent for the Matter against him or them to whom such Deed or Deeds of Gift or Alienation shall be so made, for the Amendment and Reparation of so much of the said Dilapidations and Decays, or just Recompence for the same, as hath happened by his Fact or Default; in such Sort as he might, should or ought lawfully to have, if he or they to whom such Deed or Deeds of Gift or Alienation shall be so made, were Executor or Executors of the Testament and Last Will of him that made such Deed or Deeds of Gift or Alienation, or were Administrator or Administrators of his Goods or Chattels; any Law, Custom or other Thing to the contrary in any wise notwithstanding.

Fraudulent Deed to defeat Successor for Dilapidations.

Remedy.

III. And for that long and unreasonable Leases made by Colleges, Deans and Chapters, Parsons, Vicars, and other having Spiritual Promotions, be the chiefest Causes of the Dilapidations

Conveyances by
Spiritual Persons.

'dations and the Decay of all Spiritual Livings and Hospitality,
'and the utter Impoverishing of all Successors Incumbents in
'the same: Be it enacted by the Authority aforesaid, That from
henceforth all Leases, Gifts, Grants, Feoffments, Conveyances
or Estates, to be made, had, done or suffered by any Master and
Fellows of any College, Dean and Chapter of any Cathedral or
Collegiate Church, Master or Guardian of any Hospital (a), Par-
son, Vicar or any other having any Spiritual or Ecclesiastical
Living, or any Houses, Lands, Tithes, Tenements or other Here-
ditaments, being any Parcel of the Possessions of any such Col-
lege, Cathedral Church, Chapter, Hospital, Parsonage, Vicarage
or other Spiritual Promotion, or any ways appertaining or be-
longing to the same, or any of them, to any Person or Persons,
Bodies Politick or Corporate, (other than for the Term of One
and Twenty Years, or Three Lives, from the Time as any such
Lease or Grant shall be made or granted, whereupon the ac-
customed yearly Rent or more shall be reserved and payable yearly
during the said Term) shall be utterly void and of none Effect, to
all Intents, Constructions and Purposes; any Law, Custom or
Usage to the contrary any ways notwithstanding (b).

(a) [The Words "Master or Guardian of any Hospital" explained;
14 Eliz. c. 14.]

(b) [This Section not to affect certain Grants, &c. 14 Eliz. c. 21. § 17.
And further regulated, 18 Eliz. s. 11. § 1.]

College Leases.

IV. Provided nevertheless, and be it enacted by the Authority
aforesaid, That this Act, nor any Thing therein contained, shall
be taken or construed to make good any Lease or other Grant
to be made by any such College or Collegiate Church within
either of both the Universities of *Oxford* and *Cambridge*, or else-
where within the Realm of *England*, for more Years than are
limited by the private Statutes of the same College.

New Leases
made upon the
Surrender of
old, &c.

V. Provided always, That this Act shall not extend to any
Lease hereafter to be made upon Surrender of any Lease hereto-
fore made, or by reason of any Covenant or Condition con-
tained in any Lease heretofore made, and now continuing, so that
the Lease to be made do not contain more Years than the Resi-
due of the Years of the former Lease now continuing shall be at
the Time of such Lease hereafter to be made, nor any less Rent
than is reserved in the said former Lease.

[Continued, 1 Jac. 1. c. 25. § 8; 24. 21 Jac. 1. c. 28. § 1.
16 Car. 1. c. 4. See further, 5 G. 3. c. 17.]

C A P. XI.

An Act for the Maintenance of the Navigation.

§ Eliz. c. 5.

§ 1.

WHERE at the Parliament holden at *Westminster* in the
Fifth Year of your Majesty's Reign, there was among
other, made and provided an Act touching certain politick
Constitutions made for the Maintenance of the Navy, and in the
same, amongst other Things, it was enacted; that from the First
Day of *April* in the Year of our Lord God One thousand five
hundred and sixty four, and so from thenceforth, it should be
lawful to all and every the Subjects of your Majesty, your Heirs
and Successors, at his and their Will and Pleasure, to carry and
transport out of this Realm, in their Ships and other Vessels
of any the Subjects aforesaid, all and every Kind of Herring,

and other Sea Fish to be taken upon the Sea by any the Subjects
aforesaid; any Act of Parliament or Law to the contrary not-
withstanding; and that all and every Person and Persons which
should by virtue of that Act transport or carry any Herring or
Sea Fish from out of any Port or Harbour of this Realm, to any
Place out of the Dominions of your Majesty, your Heirs and
Successors, should be free from Payment of any Customs, Sub-
sidy or Poundage Money for the same Fish so carried or trans-
ported during the Space of Four whole Years, beginning at
the said First Day of April One thousand five hundred sixty
four, and so further during your Majesty's Pleasure, which
Term of Four Years is now expired and ended:

5 Eliz. c. 5. in Part continued for Six Years. § 2. EXP.

5 Eliz. c. 5. § 10. recited. What Cods may be brought into
the Realm in Barrells and Casks, for Six Years. § 3. EXP.

IV. And for the avoiding of the lewd Outrages committed
and done upon the Sea Coasts of *Norfolk* and *Suffolk*, by the
Catches, Mongers and Picards pretending to buy fresh Herrings,
and which do cut in funder divers Pieces of Fishermens Nets
travelling the High Seas to take fresh Herring, to the utter
Undoing of the said poor Fishermen: Be it therefore enacted,
ordained and established by the Authority of this present Parlia-
ment, That no Person or Persons using any Ship, Boat or Vessel
called Catch, Monger or Picard, or other Vessel of like Use, shall
in the Time of common fishing upon the said Sea Coasts of *Nor-*
folk and *Suffolk*, between the Fourteenth Day of *September* and the
Fourteenth Day of *November*, from Sun-setting to Sun-rising,
anchor upon the main Sea, or in the common Stream or Trade
of Fishing, where the Fishermen use to drive, upon Pain to forfeit
their Catch, Monger, Picard, or Vessel, with the Tackle and all
the Fish in the same or the Value thereof; the One Half to your
Majesty, your Heirs and Successors, the other Half to the Bailiffs,
Burgesses and Commonalty of the Town of *Great Yarmouth*, to be
employed to the Recompensing his Damages to the Party whose
Nets shall be cut, and to the Building and Repairing of the
decayed Haven there, and to be taken by way of Seizure, or other-
wise to be recovered by Bill, Action or Information in any of
your Majesty's Courts of Record; any Statute, Law or Usage to
the contrary notwithstanding.

Anchoring in
Time of com-
mon Fishing.

Penalty.

V. And where your Subjects using the Trade of Fishing for
Herring, have of many Years, and Time out of Mind, used to
pack their Herrings in Cask or Barrells containing about Two
and thirty Gallons of usual Wine Measure, and with such Assise
hath been usually gauged and allowed at your honourable City of
London, and do contain the same Measure of Two and thirty
Gallons, according to such usual Brasse Measure as is out of your
Honourable Court of Exchequer delivered to your said Honour-
able City of *London*; which Measure yet hath lately been
quarrelled at by certain Informers, for that the same contain not
Two and thirty Gallons by the old Measure of Standard, which
they never did, though peradventure the Extremity of old Sta-
tutes in Words, by some Men's Construction, might be stretched
to require so much; and for that the usual Barrells now be as
great as ever within the Time of any Memory they have been

Affise of Herring
Barrels.

' known to be, and the Alteration thereof should be a great Decay and Peril of undoing to the said Fishermen: ' It may also please your most Excellent Majesty, that it be also enacted and declared, That the said Affise of Two and thirty Gallons of Wine Measure, which is about Eight and twenty Gallons by old Standard, well packed, and containing in every Barrel usually a Thousand full Herrings at the least, is and shall be taken for good, true and lawful Affise of Herring Barrels, throughout the whole Liberty of the said Town of *Great Yarmouth* and elsewhere; any ancient or former Law or Statute to the contrary notwithstanding.

Drying foreign
Fish to sell.

VI. Be it further enacted, That no Fish hereafter to be taken or brought into this Realm by any Stranger, nor any Fish commonly called *Scottish* Fish or *Flemish* Fish, shall be dried within *England* to be sold, upon Pain of Forfeiture of all such Fish to be dried contrary to the Meaning of this Act, or the Value thereof; which Forfeiture shall be to such Person dwelling at any Town where is any Port, Pier or Haven as will seize the same Fish, or will sue for the same Value in any Court of Record to be employed to the Reparation and Maintenance of such Port, Pier or Haven, as is next to the Place where the Offence shall be committed.

Penalty.

C A P. XII.

An Act to reform certain Disorders touching Ministers of the Church.

Ecclesiastical
Persons to subscribe, &c.
Articles.

THAT the Churches of the Queen's Majesty's Dominions may be served with Pastors of sound Religion; be it enacted by the Authority of this present Parliament, That every Person under the Degree of a Bishop, which doth or shall pretend to be a Priest or Minister of God's Holy Word and Sacraments, by reason of any other Form of Institution, Consecration or Ordering, than the Form set forth by Parliament in the Time of the late King of most worthy Memory, King *Edward* the Sixth (a), or now used in the Reign of our most gracious Sovereign Lady, before the Feast of the Nativity of Christ next following, shall in the Presence of the Bishop or Guardian of the Spiritualities of some one Diocese where he hath or shall have Ecclesiastical Living, declare his Assent, and subscribe to all the Articles of Religion, which only concern the Confession of the true Christian Faith and the Doctrine of the Sacraments, comprised in a Book imprinted, intituled, ' Articles, whereupon it was agreed by the Archbishops and Bishops of both Provinces, and the whole Clergy in the Convocation holden at *London* in the Year of our Lord God One thousand five hundred sixty and two, according to the Computation of the Church of *England*, for the avoiding of the Diversities of Opinions, and for the establishing of Consent touching true Religion put forth by the Queen's Authority; ' and shall bring from such Bishop or Guardian of Spiritualities in Writing, under his Seal authentick, a Testimonial of such Assent and Subscription; and openly on some *Sunday* in the Time of the publick Service afore Noon, in every Church where by reason of

(a) [See 2 & 3 E. 6. c. 1. 5 & 6 E. 6. c. 1.]

any Ecclesiastical Living he ought to attend, read both the said Testimonial and the said Articles, upon Pain that every such Person which shall not before the said Feast do as is above appointed, shall be *ipso facto* deprived, and all his Ecclesiastical Promotions shall be void, as if he then were naturally dead (b). Penalty.

(b) [See Exception as to the 34th, 35th & 36th Articles, and certain Words in the 20th Article, 1 W. & M. Seff. 1. c. 18. § 8. See also 23 G. 2. c. 28. § 2. 19 G. 3. c. 44.]

II. And that if any Person Ecclesiastical, or which shall have Ecclesiastical Living, shall advisedly maintain or affirm any Doctrine directly contrary or repugnant to any of the said Articles, and being convented before the Bishop of the Diocese or the Ordinary, or before the Queen's Highness Commissioners in Causes Ecclesiastical, shall persist therein, or not revoke his Error, or after such Revocation afterwards affirm such untrue Doctrine, such Maintaining or Affirming and Persisting, or such afterwards Affirming, shall be just Cause to deprive such Person of his Ecclesiastical Promotions; and it shall be lawful to the Bishop of the Diocese or the Ordinary, or the said Commissioners, to deprive such Person so persisting, or lawfully convicted of such afterwards Affirming, and upon such Sentence of Deprivation pronounced he shall be indeed deprived. Maintaining
Doctrine against
the Articles.

Penalty.

III. And that no Person shall hereafter be admitted to any Benefice with Cure, except he then be of the Age of Three and Twenty Years at the least, and a Deacon, and shall first have subscribed the said Articles in Presence of the Ordinary, and publickly read the same in the Parish Church of that Benefice, with Declaration of his unfeigned Assent to the same; and that every Person after the End of this Session of Parliament, to be admitted to a Benefice with Cure, except that within Two Months after his Induction he do publickly read the said Articles in the same Church whereof he shall have Cure, in the Time of Common Prayer there, with Declaration of his unfeigned Assent thereunto, and be admitted to minister the Sacraments within One Year after his Induction, if he be not so admitted before, shall be upon every such Default, *ipso facto*, immediately deprived. Several Things
required in Per-
son admitted to a
Benefice.

IV. And that no Person now permitted by any Dispensation or otherwise, shall retain any Benefice with Cure, being under the Age of One and twenty Years, or not being Deacon at the least, or which shall not be admitted as is aforesaid, within One Year next after the making of this Act, or within Six Months after he shall accomplish the Age of Four and twenty Years, on Pain that such his Dispensation shall be merely void.

V. And that none shall be made Minister, or admitted to preach or administer the Sacraments, being under the Age of Four and twenty Years; nor unless he first bring to the Bishop of that Diocese, from Men known to the Bishop to be of sound Religion, a Testimonial both of his honest Life and of his professing the Doctrine expressed in the said Articles; nor unless he be able to answer, and render to the Ordinary, an Account of his Faith, in Latin, according to the said Articles, or have special Gift or Ability to be a Preacher; nor shall be admitted to the Order of Deacon or Ministry unless he shall first subscribe to the said Articles. Age of Minister.

Testimonials.

VI. And that none hereafter shall be admitted to any Benefice with Cure of or above the Value of Thirty Pounds yearly in the Queen's Benefice of
yearly Value of
30l.

Queen's Books, unless he shall then be a Bachelor of Divinity, or a Preacher lawfully allowed by some Bishop within this Realm, or by one of the Universities of *Cambridge* or *Oxford*.

Induction, &c.

VII. And that all Admissions to Benefices, Institutions and Inductions to be made of any Person contrary to the Form of any Provision of this Act, and all Tolerations, Dispensations, Qualifications and Licenses whatsoever to be made to the contrary hereof, shall be merely void in Law as if they never were.

Lapse.

VIII. Provided alway, That no Title to confer or present by Lapse, shall accrue upon any Deprivation *ipso facto*, but after Six Months after Notice of such Deprivation given by the Ordinary to the Patron.

[*This Act enforced, 5 & 6 Ann. c. 5.*]

C A P. XIII.

An Act for the Increase of Tillage, and Maintenance of the Navy.

FOR the better Increase of Tillage, and for Maintenance and Increase of the Navy and Mariners of this Realm: Be it enacted, That from and after the Feast of the Nativity of *Saint John Baptist* next coming, it shall be lawful to all and every Person and Persons, being Subjects of the Queen's Majesty, her Heirs and Successors, and inhabiting within her Highness Realms and Dominions, only out of such Ports and Creeks, where are or shall be resident a Customer or Collector of Subsidy, of Tonnage and Poundage, or One of their Deputies, and not elsewhere, to load, carry or transport any Wheat, Rye, Barley, Malt, Pease or Beans into any Parts beyond the Seas, being in Amity with this Realm, and not prohibited by any Restraint or Proclamation, only to sell as a Merchandize in Ships, Crayers or other Vessels bearing cross Sails, whereof any *English*-born Subjects inhabiting within her Highness Realms and Dominions, then shall be the only Owners at all such Times as the several Prices thereof shall be so reasonable and moderate in the several Counties where any such Transportation shall be intended, as that no Prohibition shall be made, either by the Queen's Majesty, her Heirs or Successors, by Proclamation to be made in the Shire Town, or in any Port Towns of the County, or else by some Order of the Lord President and Counsel in the North, or the Lord President and Counsel in *Wales*, within their several Jurisdictions, or of the Justices of Assizes at their Sessions in other Shires out of the Jurisdiction of the said Two Presidents and Counsels, or by the more Part of the Justices of the Peace of the County at their Quarter-Sessions, in this Manner following; that is, the said Lord President and Counsels for the Shires within their Jurisdictions, the Justices of Assize at their several Sessions in other Shires out of the said Jurisdictions belonging to the said Counsels, in the North and in *Wales*, yearly shall upon Conference had with the Inhabitants of the Country, of the Cheapness and Dearth of any the said Kinds of Grain within the Counties within the Jurisdiction of the said Counsels, or in the other Counties within the Limits of the said Justices of Assize, by their Discretion determine whether it shall be meet at any Time to permit any Grain to be carried out of the Realm, by any Port within the said several Jurisdictions or Limits, and so shall

in Writing under their Hands and Seals, cause and make a Determination either for Permission or Prohibition, and the same Cause to be by the Sheriff of the Counties published and affixed in as many accustomed Market Towns and Ports within the said Shire, as they shall think convenient, and in such Manner as the Queen's Majesty's Proclamations are usually published and affixed, which Determination of the said Presidents and Counsels in their Jurisdictions, and of the Justices of Assize in their Limits, shall continue in force for the Time, Place and Manner therein expressed, until the said Presidents and Counsels shall otherwise order, or until the Justices of Assize at their being in their said Circuits, in every of the said Counties, shall alter or otherwise order the same, except the same shall be otherwise in the mean Time altered or countermanded by the Queen's Majesty, her Heirs or Successors, or by some Order of the Justices of Peace in the Counties situated out of the Jurisdictions of the said Two Counsels, in their Quarter-Sessions to be holden in the mean Time, or the greater Part of them, shall find the same Determination of the Justices of Assize to be hurtful to the County by means of Dearth, or to be a great Hindrance to Tillage by means of too much Cheapness, and shall by their Writings under their Hands and Seals make any Determination to the contrary, either for Permission or Prohibition of Carriage of any Kind of Grain out of the Realm; and the same Determination shall cause to be in like Manner published and affixed as above is said, which Determination shall also continue in force, except the same shall be altered by the Queen's Majesty, her Heirs and Successors, or until the Justices of Assize, at their being in their said Circuits in every of the said Counties afore to them limited, shall alter or otherwise order the same, who shall and may upon new Conference had, by their Discretions from Time to Time alter and change the said Determinations in the Whole or in Part, as to their Discretions shall seem meet, and the same shall also cause to be published as is before prescribed.

II. Provided nevertheless, That neither any of the said Presidents and Counsels, nor the said Justices of Assize, nor the said Justices of Peace above mentioned, shall publish any their Determinations above mentioned until the same shall be first by Writing notified to the Queen's Majesty, or to her Privy Council, and by her Majesty or her Privy Council shall be liked and allowed.

III. Provided also, That the Queen's Majesty, her Heirs and Successors, shall have and receive by the Customers and Officers of her Ports, for the Custom or Poundage of every Quarter of Wheat to be transported by force of this Statute xii d. and of every Quarter of any other Grain viii d. and of every Quarter of Wheat that shall be by any special Licence hereafter to be granted, transported out of the Realm, and not by force of this Statute, ii s. and of every Quarter of other Grain, xvi d. notwithstanding any manner of Words that shall be contained or inserted in any Licences to the contrary; which said several Sums so to be had or taken as Custom or Poundage, to be in full Satisfaction of all manner of Custom or Poundage for the said Corn or Grain, by any Constitution, Order, Statute, Law or Custom heretofore made, used or taken for transporting of any such manner of Corn or Grain.

IV. Provided

IV. Provided also, and be it enacted by the Authority of this present Parliament, That the Queen's Majesty, her Heirs and Successors, may at all Times by her Writ of Proclamation to be published generally in the whole Realm, or in the Counties of the Realm where any Port Towns are, command that no Person shall by virtue of this Act transport or carry out any manner of Grain to any Parts out of her Dominions, either generally out of any Port in the Realm, or particularly out of any special Ports to be in the same Proclamation named, and that it shall not be lawful for any Person to carry out any such Grain contrary to the Tenor of the same Proclamation, upon such Pains as by the Laws of the Realm are and have been provided.

[Virtually repealed, 31 G. 3. c. 30.]

C A P. XIV.

An Act for the bringing of Bow Staves into this Realm.

WHERE as the Use of Archery, not only hath ever been but also is yet by God's special Gift to the *English* Nation a singular Defence of this Realm, and an Occasion of many noble Victories, and both very wholesome Exercise for the Health and Strength of Men's Bodies, and a Maintenance of a great Number of the Queen's true Subjects and Artificers, as Bowyers, Fletchers, Stringers, Arrowhead Makers and other of this Realm; and for that among other Causes of the Decay of Archery, one great Cause is the excessive Price of Bow Staves, which groweth principally by the Scarcity of Bow Staves brought into the Realm: For Reformation whereof, be it enacted by the Authority of this present Parliament, That all the Statutes made in the Twelfth Year of the Reign of King *Edward* the Fourth, concerning bringing in of certain Number of Bow Staves, according to the Weight or Value of other Wares to be brought into this Realm, shall from henceforth be duly put in Execution. And be it enacted and declared by this present Statute, That all Merchant Strangers using to bring Wares into this Realm from the East Parts, as well from the *lxxii*. *Hans* Towns, be comprized and meant under the Name of, and bound as the Merchants mentioned and bound by the said Statute, to bring in Bow Staves upon like Pains and Forfeitures as by the said Statutes are appointed. And where the greatest Cause of not putting the said Statute in Execution hath been, that the Forfeitures thereby limited are by the said Statutes given only to the Queen's Majesty, her Heirs and Successors, without any Reward to the Person that shall sue for the same; Be it enacted, That from henceforth all the Forfeitures appointed by the said Statutes, shall be employed in Form following; that is to say, the One Half thereof to the Queen's Majesty, her Heirs and Successors, the other Half to such Person as shall sue for the same in any Court of Record, wherein no Essoign, Protection nor Wager of Law for the Default shall be admitted or allowed; and it may please the Queen's most Excellent Majesty, that it be on her Highness Part straightly charged and commanded, that all the Statutes now remaining in force, for repressing of unlawful Games, and for the Maintenance and Use of Archery, shall be duly put in Execution for ever, under Pains in the said Statutes contained.

C A P.

C A P. XV.

An Act that no Hoyer or Plate shall cross the Seas. EXP.

C A P. XVI.

An Act for the Confirmation of the Attainders of *Charles* Earl of *Westmorland*, *Thomas* Earl of *Northumberland* and others; the Convictions, &c. confirmed.

C A P. XVII.

An Act to license the Earl of *Leicester* to found an Hospital.

C A P. XVIII.

An Act for the bringing of the River of *Lee* to the North Side of the City of *London*.

[See further, 12 G. 2. c. 32. 7 G. 3. c. 51.]

C A P. XIX.

An Act for the making of Caps.

IN most humbly wise shewen unto the Queen's Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, the Fellowship and Company of Cappers, of this noble Realm of *England*, That whereas they and others occupying the Trade and Science of Capping, have in Times past until now of late, with the only Travel and Industry of their said Trade and Science of Capping, not only maintained themselves, their Wives, Children and Family in good, reasonable and convenient Estate and Degree, according to their Vocation and Calling; but have also set on work a great Number and Multitude of other poor Persons the Queen's Majesty's Subjects, both Men, Women and Children, and also the halt, decrepid and lame, using them in sundry Exercises belonging to the Occupation and Art of Cappers, as Carders, Spinners, Knitters, Parters of Wool, Forcers, Thickers, Dressers, Walkers, Dyers, Battelers, Shearers, Pressers, Edgers, Liners, Bandmakers, and other Exercises, who have in like Manner thereby maintained and relieved themselves and their Families, and by reason of their Labour and Exercise therein, have eschewed and avoided not only the great Annoyance of the Towns they dwelled in, who for lack of Exercise must have been enforced to beg, but also have kept them from ranging and gadding through the Realm, in practising and exercising sundry Kinds of Lewdness, as too many of them doth in these Days, as it is evident, the more is the Pity:

II. And also by the Means of this good Exercise and Occupation, a great Number of personable Men, have at all Times been ready and well able when they should or have been called to serve your Highness most noble Progenitors, and also your Majesty in Time of Wars, or elsewhere, until now of late Days, that most and in Manner all Men have forborn and left the using and wearing of Caps, to the great impoverishing and utter undoing of all the aforesaid Company and Fellowship of Cappers, and to the great Decay, Ruin and Desolation of divers ancient Cities

* Cities and Boroughs, within this Realm of *England*, which have
 * been the Nourishers and Bringers-up in that Faculty of great
 * Numbers of People, as *London*, which by good report maintained
 * Eight thousand Persons exercised in this Faculty: Also *Exeter*,
 * *Bristol*, *Monmouth*, *Hereford*, *Ross*, *Bridgenorth*, *Bewdley*, *Gloucester*,
 * *Worcester*, *Chester*, *Nantwich*, *Newcastle*, *Ulcester*, *Stafford*,
 * *Litchfield*, *Coventry*, *York*, *Beverley*, *Richmond*, *Derby*, *Leicester*,
 * *Northampton*, *Shrewsbury*, *Wellington*, *Southampton*, *Canterbury* and
 * divers others, as well bordering and adjoining upon the Coasts of
 * the Seas, as in other Places :

‘ III. In consideration whereof, and forasmuch as the said ancient
 * and laudable Science and Trade of Capping hath been of long
 * Time permitted and allowed in this most noble Realm, as a Thing
 * very commodious and profitable, as well for the Maintenance and
 * Living of a great Number of Persons within the same, as also
 * for the upholding and replenishing and fortifying of the said
 * ancient Cities and Boroughs, and specially for the Trading and
 * Exercising of the poorest sort of People in honest Labour and
 * virtuous Exercise, and therefore profitable to the common
 * Wealth; and for that also the wearing of the same Caps are very
 * decent and comely for all Estates and Degrees, and especially
 * for all Persons inhabiting within the Cities, Boroughs, Towns,
 * Villages or Hamlets within this Realm :’

IV. For Reformation whereof, it may please the Queen’s
 Highness, and the Lords Spiritual and Temporal, and the Com-
 mons, in this present Parliament assembled, and by the Authority
 of the same, That it may be enacted and established, That all and
 every Person and Persons above the Age of Six Years, (except
 Maidens, Ladies and Gentlewomen) inhabiting, commorating and
 abiding within any of the Cities, Boroughs, Towns, Villages or
 Hamlets of this Realm of *England*; and except also all noble
 Personages, and every Lord, Knight and Gentleman, of the Pos-
 sessions of Twenty Marks Land by the Year, and their Heirs; and
 except also all such as have borne Office of Worship in any City,
 Borough, Town, Hamlet or Shire; and also all such as have borne
 the Office of Wardens of the Worshipful Companies of the City
 of *London*, shall use and wear upon the Sabbath and Holiday,
 unless in the Time of their Travel out of the said Cities, Boroughs,
 Towns, Villages or Hamlets, upon their Head one Cap of Wool
 knit, thicked and dressed in *England*, made within this Realm of
England, and only dressed and finished by some of the Trade or
 Science of the Cappers, upon Pain of Forfeiture for every Day not
 so wearing, the Sum of iiii. s. iiiid. of lawful Money of *England*.

V. And further be it enacted by Authority aforesaid, That
 Justices of Assize in their Circuits, Justices of Peace in their
 Sessions, Sheriffs in their Turns, Stewards in their Leets and Law
 Days, Mayors, Sheriffs and Bailiffs of Cities, Boroughs and
 Towns Corporate in their Courts, shall and may inquire, hear and
 determine, from Time to Time, all and every the said Offences
 committed and done within the Limits of their several Juris-
 dictions and Authorities; and where any such Forfeitures shall
 happen to be found within the Precinct of any City, Borough,
 Town Corporate, Leet or Law Day, then the Mayors, Sheriffs
 and Bailiffs, of the said Cities, Boroughs and Towns, and Owners
 of the said Leet or Law Day, shall have and enjoy the one Moiety
 of

of the said Forfeitures, and the other Moiety to be distributed at the Discretion of the Rulers and Chief Governors of every such City, Borough, Town or Hamlet, where the Trespas shall be tried and found, among the Poor inhabiting within the same.

VI. And be it further enacted by the Authority aforesaid, for the better Execution of this Statute, That the Parents, Guardians, Governors and Masters, shall lose and forfeit the Penalty aforesaid, for every such Child, Servant or Ward, as shall be above the Age of Six Years, and under the Age of Twenty one Years, and remaining, dwelling and abiding with any such Person which shall offend or do contrary to this Act, or any Thing therein contained.

[*Repealed, 39 Eliz. c. 18. § 12. 37. 45.*]

C A P. XX.

An Act touching Leases of Benefices, and other Ecclesiastical Livings with Cure.

[*Continued, 39 Eliz. c. 18. § 10. 41. Made perpetual, 3 Car. 1. c. 4. § 2. 4; but repealed, together with all Explanations, Additions and Alterations thereof, 43 G. 3. c. 84. § 10.*]

C A P. XXI.

An Act that Purveyors may take Grain, Corn or Victuals, within Five Miles of Cambridge and Oxford, in certain Cases.

WHEREAS in the Second and Third Years of the late King Philip and Queen Mary, it was with the Assent of the Lords Spiritual and Temporal, and the Commons, in that present Parliament assembled, enacted, ordained and established, That from thenceforth no Manner of Purveyor, Taker, Badger, Loder or other Ministers, might or should take or bargain for any Kind of Victual or Grain, in any of the Markets of the Towns of Cambridge and the City of Oxford, nor should take or bargain for any Victual within the Compass of Five Miles thereunto adjoining, without the Consent, Agreement or Goodwill of the Owner or Owners, neither should attempt to carry, take away or bargain for any Manner of Grain or other Victual, bought or provided within the said Space of Five Miles, by any common Minister of any College, Hostel or Hall, to be spent within any of the said Colleges, Hostels or Halls, upon Pain of Forfeiture of the quadruple Value of any such Manner Grain or Victual, so taken or bargained for in any of the said Markets, or within the said Space of Five Miles, against the Will of the Owners as is abovesaid, or attempted to be taken or carried away, or bargained for, being provided as is abovesaid, for to be spent within any of the said Colleges, Hostels or Halls, and further should suffer Imprisonment for the Space of Three Months, without Bail or Mainprize, and that the Chancellor or Vice Chancellor, or his Commissary for the Time being, in either of the said Universities, with Two Justices of Peace of the County wherein the said Universities be set, shall have full Power by Authority of the said Act, to inquire by the Oaths of Twelve Men, of and upon the Defaults and Offences committed

mitted contrary to the Tenor thereof; and to see due Punishment and Reformation thereof in Form aforesaid, from Time to Time; the one Half of which foresaid Forfeitures to be to the common Treasurers of either of the said Universities, respectively to the Fault committed against the said Privilege, the other Half to the Party that will sue for the same by Action of Debt, Bill, Plaint or otherwise, in any Court of Record, or before the aforesaid Chancellor, his Vice Chancellor or Commissary, or their Deputies for the Time being, and Two Justices of Peace, as is before expressed, as by the said Act more at large appeareth. Sithens the making of which Act, divers of the Townships, Inhabitants and Reliants within the Limits and Precinct aforesaid, have converted the Benefit of the said Act to their private Use and Commodity, without any Profit or Commodity to the poor Scholars of either of the said Universities, contrary to the true Intent and Meaning of the said Act, whereby the Queen's Majesty is not only not served of Provision of Corn, Grain and other Victual, to be taken for her Majesty's Provision, but also the said Universities are defrauded of the Benefit and Commodities to them intended, and granted as is aforesaid: For Remedy whereof, be it enacted and ordained by the Authority of this present Parliament, That from henceforth no Manner of Purveyor, Taker, Badger, Loader, Pouker or other Minister for the Queen's Majesty, her Heirs or Successors, nor any other common Poulter, shall or may take or bargain for any Kind of Victual or Grain in any of the said Markets or Towns of *Cambridge* and the City of *Oxford*, or either of them, nor shall take or bargain for any Victual or Grain within the Compass of the aforesaid Five Miles thereunto adjoining, without the Consent, Agreement, Goodwill and Licence of either of the said Chancellors, Vice Chancellors for the Time being, in Writing had and obtained under the Seal or Seals of the Office of the said Chancellor or Vice Chancellor of either of the said Universities, and in no other Form than in the said Licence in Writing shall be contained and expressed, so as the same give not to any of the aforesaid Purveyors, Takers, Badgers, Loaders, Poulters or others, any further Authority and Power, then they have or may lawfully use in other Parts of the same Country, being without the said Limits of Five Miles, neither shall attempt to carry, take away or bargain for any Manner of Grain and other Victual bought and provided within the said Space of Five Miles, by any common Minister of any College, Hostel or Hall, to be spent within any of the said Colleges, Hostels or Halls, without like Licence and Assent, and in no other Form than is next aforesaid mentioned, upon like Pains, Forfeitures and Imprisonments, and to like Uses as are limited and ordained by the said former Statute. And that the said Chancellors or Vice Chancellors, for the Time being of either of the said Universities, with Two Justices of Peace of the said Universities, City, Town or County, wherein the said Universities be set, shall have like Power and Authority by this Act to inquire upon the Defaults and Offences contrary to the Tenor hereof, and to see due Punishment and Reformation thereof in Form aforesaid, as was to them limited and appointed by the said former Act.

II. And be it further by the Authority aforesaid enacted and ordained, That if any Person or Persons within the said Precinct

of

Purveyor taking
Victual.

Without Consent,
&c.

Penalty.

Justices may
inquire.

Refusing Pro-
vision.

of Five Miles shall refuse reasonably to serve the necessary Provision of the said Universities, according to the true Meaning of this present Act, that then it shall be lawful to any of the Queen's Majesties Takers or Purveyors, to provide any Corn or Victual of any such Person or Persons within any Part of the Precinct aforesaid for the Use of the Queen's Majesty, as shall be declared and notified to the said Purveyors or Takers, to be Persons not worthy of the said Privilege, for not reasonable serving the Necessities of the said Universities, by the Chancellor or Vice Chancellor for the Time being of either of the said Universities, with the Assent and Consent of Two Justices of Peace residing within either of the said Universities, City, Town or County, under the Hands and Seals of the said Chancellor or Vice Chancellor, and the said Two Justices of Peace, as the said Purveyors or Takers lawfully may in any other Place, without the said Precinct of Five Miles, and not otherwise: The said former Act or any Thing therein contained, or any other Clause, Article, Sentence or Matter whatsoever to the contrary notwithstanding.

III. Provided that this Act shall not be put in Execution at any Time or Times whensoever the Queen's Majesty, her Heirs or Successors, shall come to any of both the said Universities, or within Seven Miles of either of them, but shall be in suspense during that Time only, and no longer. Provide.

IV. Provided always, and be it enacted by Authority aforesaid, That this Act or any Thing therein contained, shall not in any wise be prejudicial or hurtful to the Mayor, Bailiffs and Commonalty of the City of *Oxford*, nor the Mayor or Commonalty of the Town of *Cambridge*, or to their Successors, for and concerning any of their Liberties or Privileges; but that they, and every of them, and their Successors respectively, may have and use the same, in such Manner and Form, as they or any of them might or ought to have done before the making of this Act; any Thing in this Act contained to the contrary notwithstanding. Provide.

V. Provided always, That this Act shall continue unto the last Day of the next Parliament. Continuance.

[Continued by 3 Car. 1. c. 4. § 13. 22. 16 Car. 1. c. 4. *Purveyance taken away*, 12 Car. 2. c. 24. § 12.]

C A P. XXII.

An Act to continue the Statute for Division of Sheriffs.

‘ **W**HERE in the Parliament by Prorogation holden at *Westminster* the last Day of *September*, in the Eighth Year of the Reign of our most gracious Sovereign Lady Queen *Elizabeth*, and there continued to the End and Dissolution of the same; it was ordained and enacted amongst other Things, that where the Counties and Shires of *Surrey* and *Suffex*, *Essex* and *Hertford*, *Somerfet* and *Dorset*, *Warwick* and *Leiceſter*, *Nottingham* and *Derby*, *Oxon* and *Barks*, of long Time have had but one Sheriff to serve for Two of the said Counties, that is to say, one for *Surrey* and *Suffex*, and one other for *Hertford* and *Essex*, and one other for *Somerfet* and *Dorset*, and one other for *Warwick* and *Leiceſter*, and one other for *Nottingham* and *Derby*, and one other for *Oxon* and *Barks*, that from and after the First Day of *November*, which was in the Year of our Lord God One thousand five hundred 8 Eliz. c. 16. § 2.

‘ and

§ 7.

‘ and sixty seven, the Queen’s most excellent Majesty, her Heirs
 ‘ and Successors, Kings and Queens of this Realm, should and
 ‘ might from and after the said First Day of *November*, in the said
 ‘ Year of our Lord God One thousand five hundred and sixty
 ‘ seven, yearly choose and make for every the said Counties before-
 ‘ named, one sufficient and able Person to be Sheriff in every of
 ‘ the said several Counties, in such like Manner and Form, as is and
 ‘ hath been used to be chosen, made and done for any other
 ‘ County or Shire within this Realm; any Law, Custom or
 ‘ Usage heretofore had or used to the contrary thereof notwith-
 ‘ standing; with divers other Articles, Clauses, Branches and Pro-
 ‘ visoes therein contained, as by the said Act more at large doth
 ‘ and may appear; the same Act to continue and endure to the
 ‘ End of Three whole Years, to be accounted from the Feast of
 ‘ *All Saints* in the said Year of our Lord God One thousand five
 ‘ hundred and sixty seven, and from thence to the End of the next
 ‘ Parliament then next following the End of the said Three Years.’

Made perpetual.

II. And forasmuch as the Charges and Burthen of Sheriffs are partly eased thereby, and also an occasion of the better Execution of Justice ministred, by reason that the Gentlemen appointed to be Sheriffs do best know, and are best acquainted with those Counties and Shires wherein they inhabit and are commorant, (as by the Experience thereof hath been well seen): Be it therefore enacted by the Queen’s most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act made in the said Eighth Year of her Majesty’s Reign, for, touching and concerning the Choice, Election and making of Sheriff and Sheriffs in the said several Counties of *Surrey, Sussex, Essex, Hertford, Somerset, Dorset, Warwick, Leicester, Nottingham, Derby, Oxon* and *Barks*, and every of them, and that all and every Article, Clause, Sentence, Branch and Provisoe therein contained, shall from henceforth for all and every the said Shires and Counties, and every of them, except the said Shires of *Surrey* and *Sussex*, stand, remain and continue in full force, strength, virtue and effect, to all Intents, Construtions and Purposes, to be holden and kept for ever; any Act, Statute, Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

C A P. XXIII.

An Act for the paving of a Street without *Aldgate*.[See 13 *Eliz. c. 12.*]

C A P. XXIV.

An Act for the paving of the Town of *Ipswich*.

C A P. XXV.

An Act for the Reviving and Continuance of certain Statutes.

“ 23 *H. 8. c. 17.* 23 *H. 8. c. 3.* 35 *H. 8. c. 17.* 5 & 6 *E. 6. c. 14.*
 “ 2 & 3 *P. & M. c. 3.* made perpetual. § 1—5. [5 & 6 *E. 6.*
 “ *c. 14.* and 2 & 3 *P. & M. c. 3.* Repealed, 12 *G. 3. c. 71. § 1.*
 21 *H. 8.*

" 21 H. 8. c. 8. 3 & 4 E. 6. cc. 19. 21. 5 Eliz. cc. 2, 3. 1 Eliz.
 " c. 17. continued till the End of the next Parliament. § 6—12.
 " 23 H. 8. c. 2. and 5 Eliz. c. 24. extended to the County of Cam-
 " bridge, and to endure Ten Years. § 13. EXP.
 " 5 Eliz. cc. 7. 9. 8 Eliz. cc. 10. 15. continued until the End of
 " the next Parliament. § 14—16.

XVII. Provided nevertheless, and be it enacted by the Author-
 ity aforesaid, That the said Act concerning the avoiding of foreign
 Wares made by Handicraftmen beyond the Seas, or any Clause,
 Article or Meaning therein contained, shall not in any wise extend
 or be prejudicial to any Intercourse or Treaties of any Intercourse
 now standing in force, had or made between the Progenitors of
 the Queen's Majesty, or her Highness, and any others; any Thing
 heretofore, or now, ordained or enacted to the contrary in any
 wise notwithstanding. 5 Eliz. c. 9.
[Repealed, 14 Eliz. c. 11. § 13.]

XVIII. For the more Increase of Woods; where by an Act
 of Parliament made in the Five and thirtieth Year of the Reign
 of King Henry the Eighth, intituled, *For the Preservation of*
Woods, &c. there are several Clauses limiting how many Years
 all Manner of Lands or Coppice-woods, being several or in
 common, shall next after the Felling thereof be sufficiently in-
 closed, or the Springs thereof otherwise saved and preserved from
 Destruction, as by the same Act more particularly appeareth;
 for that by Experience it is found, that the Space and Time
 of the said several Years of Inclosure or Preservation is not
 sufficient; Be it enacted by Authority of this present Parlia-
 ment, That from the Twentieth of June next all Manner of Woods
 or Coppice intended by the said Act to be inclosed, and the
 Springs thereof preserved, shall be sufficiently inclosed, or the
 Springs thereof otherwise saved from Destruction, by the Space
 of Two full Years more than in the several Clauses of the said
 Acts is severally limited, according to the Age of the Woods
 felled, upon like Pains as are contained in the foresaid Clauses of
 the said Act, concerning Inclosure or Preservation of the said
 Woods, Coppice or Springs; and that from the said Twentieth of
 June next following, it shall not be lawful for any Manner of Per-
 son to put any Manner of Cattle in any Coppice-woods inclosed
 to be preserved, from the Time of the Sale thereof until the
 End of Five Years, nor from the End of Five Years, any other
 Cattle but Calves and Yearling Colts only, until the End of Six
 Years, if the Wood was under the Age of Fourteen Years at the
 last Fall, or until the Age of Eight Years, if the Wood was above
 the Age of Fourteen Years at the Time of the last Fall, &c.
How long Spring
of Woods shall
be preserved in
Severalty.

XIX. Provided that this Addition to the Statute of Woods
 shall continue as long in Force as the aforesaid Statute made in
 the Thirty fifth Year of the Reign of King Henry the Eighth.
At what Age of
Wood, Cattle,
may be put in,
&c.
Proviso.

XX. Provided always, and be it enacted by the Authority
 aforesaid, That no Person or Persons shall be a Buyer, Badger,
 Kidder or Carrier of Corn, Cattle, Butter, Cheese and such like
 Kind of Victual, in none other Manner nor Form than is con-
 tained in a Statute made in the Fifth Year of the Reign of our
 Sovereign Lady Queen Elizabeth (a), nor shall be any other ways
 admitted or licenced to be a Buyer, Badger, Kidder or Carrier as
Buyer, &c. of
Corn, &c. to be
according to
5 Eliz. c. 12.

(a) [Repealed, 12 G. 3. c. 71. § 1.]

aforesaid, than is mentioned and appointed by the said Statute; any Thing in this or any other Act heretofore to the contrary notwithstanding.

Provida.

XXI. Provided always, and be it enacted, That the said (a) Act against Regrators, Forefallers and Ingrossers is not meant to extend, nor shall extend to any Wines, Oils, Sugars, Spices, Currants, nor other foreign Victuals, brought or to be brought into this Realm from beyond the Seas; Fish and Salt only excepted. (a) [5 & 6 E. 6. c. 14. repealed, 12 G. 3. c. 71. § 1.]

C A P. XXVI.

An Act for the Confirmation of a Subsidy granted by the Clergy. EXP.

C A P. XXVII.

An Act of a Subsidy and Two Fifteens and Tenths granted by the Temporality. EXP.

C A P. XXVIII.

An Act of the Queen's Highness most Gracious, General and Free Pardon.

[*Note, The last Three Acts are not numbered on the Roll.*]

C A P. XXIX.

[*This is Cap. 36. on the Roll.*]

An Act for the Incorporation of both the Universities.

FOR the great Love and Favour that the Queen's most excellent Majesty beareth towards her Highness Universities of Oxford and Cambridge, and for the great Zeal and Care that the Lords and Commons of this present Parliament have for the Maintenance of good and godly Literature, and the virtuous Education of Youth within either of the said Universities, and to the Intent that the ancient Privileges, Liberties and Franchises of either of the said Universities heretofore granted, ratified and confirmed by the Queen's Highness, and her most noble Progenitors, may be had in greater Estimation, and be of greater Force and Strength, for the better Increase of Learning, and the further Suppressing of Vice: Be it therefore enacted by the Authority of this present Parliament, That the Right Honourable Robert Earl of Leicester, now Chancellor of the said University of Oxford, and his Successors for ever, and the Masters and Scholars of the same University of Oxford for the Time being, shall be incorporated and have a perpetual Succession in Fact, Deed and Name, by the Name of the Chancellor, Masters and Scholars of the University of Oxford; and that the same Chancellor, Masters and Scholars of the same University of Oxford, for the Time being, from henceforth, by the Name of Chancellor, Masters and Scholars of the University of Oxford, and by none other Name or Names shall be called and named for evermore; and that they shall have a Common Seal to serve for their necessary Causes touching and concerning the said Chancellor, Masters and Scholars of the said University of Oxford, and their Successors: And likewise that the

Right

Right Honourable Sir *William Cecil* Knt. Baron of *Burghley*, now Chancellor of the said Univerſity of *Cambridge*, and his Succeſſors for ever, and the Maſters and Scholars of the ſame Univerſity of *Cambridge* for the Time being, ſhall be incorporated and have a perpetual Succeſſion in Fact, Deed and Name, by the Name of the Chancellor, Maſters and Scholars of the Univerſity of *Cambridge*; and that the ſame Chancellor, Maſters and Scholars of the ſaid Univerſity of *Cambridge*, for the Time being, from henceforth, by the Name of Chancellor, Maſters and Scholars of the Univerſity of *Cambridge*, and by no other Name or Names, ſhall be called and named for evermore; and that they ſhall have a Common Seal to ſerve for their neceſſary Cauſes touching and concerning the ſaid Chancellor, Maſters and Scholars of the ſaid Univerſity of *Cambridge*, and their Succeſſors: And further, that as well the Chancellor, Maſters and Scholars of the ſaid Univerſity of *Oxford*, and their Succeſſors, by the Name of Chancellor, Maſters and Scholars of the Univerſity of *Oxford*, as the Chancellor, Maſters and Scholars of the ſaid Univerſity of *Cambridge*, and their Succeſſors, by the Name of Chancellor, Maſters and Scholars of the Univerſity of *Cambridge*, may ſeverally implead and be impleaded, and ſue and be ſued for all Manner of Cauſes, Quarrels, Actions Real, Perſonal and Mixt, of whatſoever Kind, Quality or Nature they be, and ſhall and may challenge and demand all Manner of Liberties and Franchiſes, and alſo answer and defend themſelves under and by the Name aforeſaid, in the ſame Cauſes, Quarrels and Actions, for every Thing and Things whatſoever, for the Profit and Right of either of the aforeſaid Univerſities, to be done before any Manner of Judge, either Spiritual or Temporal, in any Courts and Places within the Queen's Highneſs Dominions whatſoever they be: And be it further enacted by the Authority aforeſaid, That the Letters Patents of the Queen's Highneſs moſt noble Father King *Henry* the Eighth, made and granted to the Chancellor and Scholars of the ſaid Univerſity of *Oxford*, bearing Date the Firſt Day of *April* in the Fourteenth Year of his Reign, and the Letters Patents of the Queen's Maſteſty that now is, made and granted unto the Chancellor, Maſters and Scholars of the Univerſity of *Cambridge*, bearing Date the Twenty ſixth Day of *April* in the Third Year of her Highneſs moſt gracious Reign, and alſo all other Letters Patents, by any of the Progenitors or Predeceſſors of our ſaid Sovereign Lady, made to either of the ſaid corporated Bodies ſeverally, or to any of their Predeceſſors, of either of the ſaid Univerſities, by whatſoever Name or Names the ſaid Chancellor, Maſters and Scholars of either of the ſaid Univerſities, in any of the ſaid Letters Patents, have been heretofore named, ſhall from henceforth be good, effectual and available in the Law to all Intents, Conſtructions and Purpoſes, to the ſoreſaid now Chancellor, Maſters and Scholars of either of the ſaid Univerſities, and to their Succeſſors for evermore, after and according to the Form, Words, Sentences and true Meaning of every of the ſame Letters Patents, as amply, fully and largely, as if the ſame Letters Patents were recited *verbatim* in this preſent Act of Parliament; any Thing to the contrary in any wiſe notwithstanding. And furthermore be it enacted by the Authority aforeſaid, That the Chancellor, Maſters and Scholars of either of the ſaid Univerſities, ſeverally, and their Succeſſors for ever, by the ſame

Name of Chancellor, Masters and Scholars of either of the said Universities of *Oxford* and *Cambridge*, shall and may severally have, hold, possess, enjoy and use to them, and to their Successors for evermore, all Manner of Manors, Lordships, Rectories, Parsonages, Lands, Tenements, Rents, Services, Annuities, Advowsons of Churches, Possessions, Pensions, Portions and Hereditaments, and all Manner of Liberties, Franchises, Immunities, Quietances and Privileges, View of Frank-pledge, Law-days, and other Things whatsoever they be, the which either of the said corporated Bodies of either of the said Universities had, held, occupied or enjoyed, or of Right ought to have had, used, occupied and enjoyed, at any Time or Times before the making of this Act of Parliament, according to the true Intent and Meaning as well of the said Letters Patents made by the said noble Prince King *Henry* the Eighth, made and granted to the Chancellor and Scholars of the University of *Oxford*, bearing Date as is aforesaid, as of the Letters Patents of the Queen's Majesty made and granted unto the Chancellor, Masters and Scholars of the University of *Cambridge*, bearing Date as aforesaid, and as according to the true Intent and Meaning of all the other the foresaid Letters Patents whatsoever; any Statute or other Thing or Things whatsoever heretofore made or done to the contrary in any manner of wise notwithstanding: And be it further enacted by the Authority aforesaid, That all Manner of Instruments, Indentures, Obligations, Writings Obligatory and Recognizances, made or known by any Person or Persons or Body Corporate, to either of the said corporated Bodies of either of the said Universities, by what Name or Names soever the said Chancellor, Masters and Scholars of either of the said Universities have been heretofore called in any of the said Instruments, Indentures, Obligations, Writings Obligatory or Recognizances, shall be from henceforth available, stand and continue of good, perfect and full Force and Strength to the now Chancellor, Masters and Scholars of either of the said Universities, and to their Successors, to all Intents, Constructions and Purposes, although they or their Predecessors, or any of them, in any of the said Instruments, Indentures, Obligations, Writings Obligatory or Recognizances, be named by any Name contrary or diverse to the Name of the now Chancellor, Masters and Scholars of either of the said Universities. And be it also enacted by the Authority aforesaid, That as well the said Letters Patents of the Queen's Highness said Father King *Henry* the Eighth, bearing Date as is before expressed, made and granted to the said Corporate Body of the said University of *Oxon*, as the Letters Patents of the Queen's Majesty aforesaid granted to the Chancellor, Masters and Scholars of the University of *Cambridge*, bearing Date as aforesaid, and all other Letters Patents by any of the Progenitors or Predecessors of her Highness, and all Manner of Liberties, Franchises, Immunities, Quietances and Privileges, Letes, Law-days, and other Things whatsoever therein expressed, given or granted to the said Chancellor, Masters and Scholars of either of the said Universities, or to any of their Predecessors of either of the said Universities, by whatsoever Name the said Chancellor, Masters and Scholars of either of the said Universities in any of the said Letters Patents be named, be and by virtue of this present Act shall be from henceforth ratified, stablished and confirmed

confirmed

confirmed unto the said Chancellor, Masters and Scholars of either of the said Universities, and to their Successors for ever; any Statute, Law, Usage, Custom, Construction or other Thing to the contrary in any wise notwithstanding. Saving to all and every Person and Persons, and Bodies Politic and Incorporate, their Heirs and Successors, and the Heirs and Successors of every of them, other than to the Queen's Majesty, her Heirs and Successors, all such Rights, Titles, Interests, Leases, Entries, Conditions, Charges and Demands, which they and every of them had, might or should have had, of, in or to any the Manors, Lordships, Rectories, Parsonages, Lands, Tenements, Rents, Services, Annuities, Advowsons of Churches, Penfions, Portions, Hereditaments and all other Things in the said Letters Patents, or in any of them mentioned or comprised, by reason of any Right, Title, Charge, Interest or Condition to them or any of them, or to the Ancestors or Predecessors of them or any of them, devolute or grown before the several Dates of the said Letters Patents, or by reason of any Gift, Grant, Demise or other Act or Acts, at any Time made or done between the said Chancellor, Masters and Scholars of either of the said Universities of *Cambridge* and *Oxford*, or any of them, and others, by what Name and Names soever the same were made and done, in like Manner and Form as they and every of them had or might have had the same before the making of this Act; any Thing, &c.† Provided always, and be it enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not extend to the Prejudice or Hurt of the Liberties and Privileges of Right belonging to the Mayors, Bailiffs and Burgessees of the Town of *Cambridge* and City of *Oxford*; but that they the said Mayors, Bailiffs and Burgessees, and every of them, and their Successors, shall be and continue free in such Sort and Degree, and enjoy such Liberties, Freedoms and Immunities, as they or any of them lawfully may or might have done before the making of this present Act; any Thing contained in this present Act to the contrary notwithstanding.

† See

Anno decimo quarto Reginae ELIZABETHÆ.
(A.D. 1572.)

STATUTES made in the Parliament begun and holden at Westminster the Eighth Day of May in the Fourteenth Year of the Reign of our most gracious and excellent Sovereign Lady ELIZABETH, by the Grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c. and there continued until the Twenty ninth Day of June then next following, on which Day it was prorogued; viz.

C A P. I.

An Act for the Punishment of such as shall rebelliously take or detain, or conspire to take or detain, from the Queen's Majesty, any of her Castles, Towers, Fortresses, Holds, &c.

EXP.

C A P. II.

An Act against such as shall conspire or practise the Enlargement of any Prisoner committed for High Treason. EXP.

C A P. III.

† *Sic.*

An Act against the Forging and Counterfeiting of Foreign Coin being † current within this Realm.

† *Sic.*

Forging foreign
Coin not current
in the Realm.

FORASMUCH as by the Laws or Statutes of this Realm, small or no condign Punishment is at this Time provided for such evil disposed Persons as shall counterfeit or forge such Kind of Gold or Silver of other Realms as is not the proper Coin of this Realm, nor current in Payment within this Realm; by reason whereof divers evil disposed Persons, as well without this Realm as within, are encouraged and emboldened daily to counterfeit or forge such Kind of Gold and Silver, and utter the same in this Realm, in great Deceit of her Majesty's Subjects: Be it enacted by our said Sovereign Lady the Queen, the Lords Spiritual and Temporal, and the Commons, of † this present Parliament assembled, and by the Authority of the same, That if any Person or Persons hereafter falsly forge or counterfeit any such Kind of Coin of Gold or Silver as is not the proper Coin of this Realm, nor permitted to be current within this Realm, that then every such Offence shall be deemed and adjudged Misprision of High Treason; and the Offenders therein, their Procurers, Aiders and Abettors, being convicted according to the Laws of this Realm of such Offences, shall be imprisoned, and forfeit such Lands, Goods and Chattels, as in Cases of Misprision of Treason for Concealment of High Treason.

C A P. IV.

1 *Eliz. c. 10.*

An Act to revive a Statute made *Anno primo* of the Queen's Majesty's Reign, inhibiting the carrying of Leather, Tallow and Raw Hides out of the Realm.

[Expired and repealed, 18 *Eliz. c. 9.*]

C A P. V.

An Act for the Punishment of Vagabonds, and for Relief of the Poor and Impotent.

22 *H. 8. c. 12.*3 & 4 *E. 6. c. 16.*

WHERE all the Parts of this Realm of *England* and *Wales* be presently with Rogues, Vagabonds and sturdy Beggars exceedingly pestered, by Means whereof daily happeneth in the same Realm horrible Murders, Thefts and other great Outrages, to the high Displeasure of Almighty God, and to the great Annoy of the common Weal: And for avoiding Confusion by reason of Numbers of Laws concerning the Premises standing in force together, be it enacted, that the Statute made in the xxii. Year of the Reign of the late King *Henry* the Eighth, intituled, *An Act concerning aged, poor and impotent Persons, compelled to live by Alms, how they shall be ordered, and how Vagabonds and mighty strong Beggars shall be punished*; and one other Act, intituled, *An Act touching the Punishment of Vagabonds, and other idle*

idle Persons, made in the Third and Fourth Years of the Reign of the late King *Edward* the Sixth; and one other Act made in the Fifth Year of the Reign of our Sovereign Lady the Queen's Majesty that now is, intituled, *An Act for the Relief of the Poor*; and every Branch, Article, Clause and Sentence in them, and every of them contained, shall be from and after the Feast of *Saint Bartholomew* the Apostle next coming, utterly void, frustrate and of none Effect.

5 Eliz. c. 3.

II. Be it also enacted by the Authority of this present Parliament, as well for the utter suppressing of the said outrageous Enemies to the common Weal, as for the charitable relieving of the aged and impotent poor People, in Manner and Form following; First, That all and every Person and Persons, whatsoever they be, being above the Age of Fourteen Years, being hereafter set forth by this Act of Parliament to be Rogues, Vagabonds or sturdy Beggars, and be at any Time after the Feast of *Saint Bartholomew* the Apostle next coming taken begging in any Part of this Realm, or taken vagrant, wandering and misordering themselves contrary to the Purport of this present Act of Parliament, in any Part of the same, shall upon their Apprehension be brought before One of the Justices of the Peace, or Mayor, or Chief Officer of Cities, Boroughs and Towns Corporate, within the County, City, Borough or Town Corporate where the Apprehension shall happen to be, and by the said Justice or Head Officer to be presently committed to the common Gaol of the said County, being apprehended within the County, or else such other Place as by the Justices of Peace of that County, or Three of them, at any their General Sessions shall be appointed; and if he be taken within any City, Borough or Town Corporate, then to be committed to the Prison of the said City, Borough or Town Corporate, there to remain without Bail or Mainprize until the next Sessions of the Peace, or general Gaol Delivery for the said Shire, City, Borough or Town Corporate, to be holden, which shall first happen; and the Constables, or other Officers, for the conveying of such Rogue or Vagabond by Commandment of the said Justices, to have such reasonable Charges for themselves and the Prisoner, from Time to Time, born by the Parish or Parishes where the said Rogue or Vagabond shall happen to be taken, as to the Discretion of the Justices of Peace present at the next Assizes, or at the Sessions of the Peace then next kept within the Limit where the Prisoner is apprehended, shall seem convenient; at which Sessions or Gaol Delivery, if such Person or Persons be duly convict of his or her roguish or Vagabond's Trade of Life, either by Inquest of Office, or by the Testimony of Two honest and credible Witnesses upon their Oaths; that then immediately he or she shall be adjudged to be grievously whipped, and burnt through the Gristle of the right Ear, with a hot Iron of the Compass of an Inch about, manifesting his or her roguish Kind of Life, and his or her Punishment received for the same, whereof Entry shall be made of Record by the Clerk of the Peace of the same Shire, in the Records of the same Sessions, which Judgment shall also presently be executed, except some honest Person, valued at the last Subsidy next before that Time to Five Pounds in Goods, or Twenty Shillings in Lands, or else some such honest Householder, as by

the Justices of the Peace of the same County, or Two of them, shall be allowed, will of his Charity be contented presently to take such Offender before the same Justices, into his Service for One whole Year next following, and to that End will presently before the said Justices enter into Bond, by Recognizance to those of our Sovereign Lady the Queen, to pay to our said Sovereign Lady the Sum of Five Pounds, if he keepeth not the said Offender in his Service by the Space of the said whole Year, and to bring him or her unto the Sessions at the Year's End, or then good Proof of his or her Death during the said Year, the said Clerk of the Peace taking for the said Recognizance but Twelve Pence only; and if such Rogue or Vagabond so taken into Service, depart within the said Year from the said Service, against the Will of him that so taketh him or her into Service, that then such Rogue or Vagabond shall be whipped and burnt through the Gristle of the right Ear with a hot Iron, as is aforesaid.

III. Provided always nevertheless, That if the said Persons so committed, or to be committed, come before the next Sessions of the Peace, or the next Gaol Delivery to be holden for the said County, or before their committing, and do find any such Surety as is next before recited, to be bound in Form aforesaid, for him or her for One whole Year, then the said Person shall not tarry in the Gaol till the next Sessions, or till the next Gaol Delivery.

IV. And be it further enacted, That the said Person or Persons so marked or adjudged to be burnt as aforesaid, shall not be dealt withal again by Way of Punishment by the Space of Forty Days next after the said Punishment executed, or adjudged to be burnt as is aforesaid, if he or she have Licence for the said Forty Days from Two Justices of the Peace of the same Shire, testifying the Punishment received, or Judgment given; but if after the said Punishment executed, or Judgment given, the said Person or Persons so marked or having received such Judgment, do after Threescore Days next after he, she or they shall so be marked, either in the same County where he or she was so marked, or having received such Judgment, or else in any other County within the said Realm of *England* or *Wales*, being of the Age of Eighteen Years or above, do oftsoons fall again to any Kind of roguish or Vagabond's Trade of Life, that then the said Rogue, Vagabond or sturdy Beggar, from thenceforth to be taken, adjudged and deemed in all Respects as a Felon, and shall in all Degrees receive, have, suffer and forfeit as a Felon, except some honest Person valued at the last Subsidy next before that Time to Ten Pounds in Goods, or Forty Shillings in Lands, or else some such honest Householder, as by the Justices of the Peace of the same County, or Two of them shall be allowed, of mere Charity will be contented before such Justices, as the said Vagabond is or shall be arraigned of Felony, to take him or her into his Service for Two whole Years then next following, and then before the same Justices will then presently put in Bond by Recognizance of Ten Pounds, to be levied of his Lands, Tenements, Goods and Chattels, to those of our said Sovereign Lady, if he keepeth not the said Offender in his Service for Two whole Years, and bring him or her unto the Sessions at the said Two Years End, or good Proof of his or her Death; and if such Rogue or Vagabond
so

so taken into Service, depart within the same Two Years from his or her said Service, against the Will of him that so took him or her into Service, that then such Rogue or Vagabond shall be taken, adjudged and deemed as a Felon in all Respects, and shall in all Degrees have, suffer and forfeit as a Felon, without Allowance or Benefit of Clergy or Sanctuary; and if such Rogue or Vagabond, after Forty Days next after he or she shall be two several Times taken into Service as is aforesaid, do either in the said County, or elsewhere oftsoons the Third Time fall again to a Kind of roguish or vagabond Trade of Life, that then such Rogue or Vagabond shall be adjudged and deemed for a Felon, and suffer Pains of Death, and Loss of Lands and Goods as a Felon; without Allowance or Benefit of Clergy or Sanctuary.

V. And for the full expressing what Person and Persons shall be intended within this Branch to be Rogues, Vagabonds and sturdy Beggars, to have and receive the Punishment aforesaid for the said lewd Manner of Life, it is now published, declared and set forth by the Authority of this present Parliament, That all and every such Person and Persons that be or utter themselves to be Proctors or Procurators, going in or about any Country or Countries within this Realm, without sufficient Authority derived from or under our Sovereign Lady the Queen, and all other idle Persons going about in any Country of the said Realm, using subtle, crafty and unlawful Games or Plays, and some of them feigning themselves to have Knowledge in Physiognomy, Palmestry or other abused Sciences, whereby they bear the People in hand they can tell their Destinies, Deaths and Fortunes, and such other like fantastical Imaginations; and all and every Person and Persons, being whole and mighty in Body, and able to labour, having not Land or Master, nor using any lawful Merchandize, Craft or Mystry, whereby he or she might get his or her Living, and can give no Reckoning how he or she doth lawfully get his or her Living; and all Fencers, Bearwards, common Players in Interludes and Minstrels, not belonging to any Baron of this Realm, or towards any other honourable Personage of greater Degree, all Juglers, Pedlars, Tinkers and petty Chapmen, which said Fencers, Bearwards, common Players in Interludes, Minstrels, Juglers, Pedlars, Tinkers and petty Chapmen, shall wander abroad, and have not Licence of Two Justices of the Peace at the least, whereof One to be of the *Quorum*, where and in what Shire they shall happen to wander; and all common Labourers, being Persons able in Body, using loitering and refusing to work for such reasonable Wages as is taxed, and commonly given in such Parts where such Persons do or shall happen to dwell; and all Counterfeitures of Licences, Passports, and all Users of the same, knowing the same to be counterfeit; and all Scholars of the Universities of *Oxford* or *Cambridge*, that go about begging, not being authorized under the Seal of the said Universities, by the Commissary, Chancellor or Vice Chancellor of the same; and all Shipmen, pretending Losses by Sea, other than such as shall be hereafter provided for; and all Persons delivered out of Gaols, that beg for their Fees, or do travel to their Countries or Friends, not having Licence from Two Justices of the Peace of the same County where he or she was delivered, shall be taken, adjudged and deemed Rogues, Vagabonds and sturdy Beggars, intended of
by

by this present Act, together with all and every such other Person and Persons as shall be hereafter for altering and breaking of such good Orders as in the Second Part of this present Act shall be established for the Relief of the aged and impotent poor People, set forth and declared to be Vagabonds.

VI. And further be it enacted, That if any Person or Persons, after the said Feast of *Saint Bartholomew*, give any Harbour, Money or Lodging, or any other Relief to any Rogue, Vagabond or sturdy Beggar, either marked as before or not marked, not having such a Licence as is before recited from Two Justices of the Peace then in Continuance, and that duly proved before the Justices of the Peace at their Quarter-Sessions, shall make such Fine to the Queen's Majesty, as by the Discretions of the said Justices, or the more Part of them, at their General Sessions shall be assessed, so as the same exceed not Twenty Shillings; and also, if any Person or Persons do disturb or let the Execution of this Act in any manner of wise, or make Rescue against any Mayor, Sheriff, Bailiff or other Person, that shall endeavour himself for or about the due Execution hereof, shall forfeit and lose Five Pounds, and over that shall have Imprisonment at the Queen's Majesty's Pleasure.

VII. Provided always, That this Act, nor any Thing herein contained, shall extend to make any Person or Persons Accessary or Accessories to the said Felonies made by this Statute, nor that any Attainder by any the Felonies aforesaid shall work or be any Corruption of Blood in the Issues or Line of the Person attained.

VIII. Provided also, That it shall be still lawful to all Masters and Governors of the Hospitals to lodge or harbour any impotent or aged Person or Persons of Charity or Alms, according to their Foundation, and to give Money in Alms, in as large Manner as they are bound to do by their Foundation, to any such aged or impotent Person; any Thing herein contained to the contrary in any wise notwithstanding.

IX. Provided always, That Shipmen and Soldiers having Licence of the next Two Justices of the Peace to the Place where they first happened to land, or where they first entered into this Realm, shall and may pass according to the Purport of their Licence and Intent of this Act of Parliament; any Thing herein contained to the contrary in any wise notwithstanding.

X. Be it also further provided, That no Licence recited in this Statute shall give any Manner Liberty, or be of any Manner Force, but only in the Shire whereof the Granter or Granters of such Licence shall be Justice or Justices of Peace; wherefore, if the said Party licensed will have any further Passage, without the Danger of this Law, than the Shire where his first Licence is granted, it shall be behoveful for him to procure and get in every other Shire where he intendeth to pass, one other Licence from Two Justices of the Peace of the said Shire, and so from Shire to Shire, to the End of his Journey: Be it also provided, that this Act, nor any Thing therein contained, do in any wise extend to any Cockers or Harvest Folks, that travel into any Country of this Realm for Harvest Work, either Corn Harvest or Hay Harvest, if they do work and labour accordingly, neither yet to any that happeneth to be robbed or spoiled by the Way, neither yet to any serving Men that be of honest Behaviour, that be turned from their Masters,

Masters, or whose Master or Mistres shall be dead, for the Space of Six Months next after such turning away, or Death of such Master or Mistres, so as every such serving Man hath a Testimonial from his Master or Mistres, or from Two Justices of the Peace of the same County, declaring such turning away, or such Death of his Master or Mistres.

XI. Provided always, That it shall be lawful to the Lord Chancellor, or Lord Keeper of the Great Seal of *England* for the Time being, to make Licence under the said Great Seal as heretofore hath been accustomed, and that the said Licence and Licences shall as largely extend as the Contents of them will bear; any Thing herein to the contrary in any wise notwithstanding.

XII. Provided always, and be it further enacted by the Authority aforesaid, That this present Act, or any Thing therein contained, shall not extend to make frustrate or void any false Conduct, Passport or Licence, made and granted, or to be made and granted by the Lord Deputy of *Ireland*, or by the Lord Governor of the Towns and Garrisons of *Berwick* or *Carlisle* for the Time being, or any other Chief Captain or Governor of any Castle or Fortres of the Queen's Majesty's, or by any other in his or their Absence having the Charge of the said Towns and Garrisons, or by any the Guardians of the Three Marches towards *Scotland*, or by any General, Lieutenant or other Chief Officer appointed by the Queen's Majesty to have the Charge and Conduccion of any Army, Garrison or Power of Men, levied or to be levied by her Highness's Order and Appointment, and for the special Service and Affairs of her Majesty, her Heirs or Successors, or by any private Captain upon the dispersing of any Army, only to any Soldier or Soldiers, or any other Person or Persons whatsoever, within this her Realms of *England* and *Ireland*, passing by virtue thereof about his or their lawful Business and Affairs; but that he or they shall and may quietly without any Let or Disturbance, enjoy the Benefit, Effect and true Meaning thereof, in as large and ample Manner and Form as heretofore it hath been used and accustomed; any Thing in this present Act mentioned to the contrary in any wise notwithstanding.

XIII. Provided always, That this present Act, or any Thing therein contained, shall not in any wise extend to the Punishment of any such Person or Persons as by this Statute are limited for Rogues, unless the same be of the Age of Fourteen Years or above, but that they and every of them under that Age shall be punished with Whipping or Stocking, as heretofore hath been used and appointed by the Laws and Statutes in that Case provided and now repealed; this Act or any Thing therein contained to the contrary hereof in any wise notwithstanding.

XIV. And it is further enacted by the Authority aforesaid, That if within any Town or Parish where any such Vagabond or Rogue shall happen to beg or make his Abode, contrary to the Form of this Statute, if the Constable or Tythingmen be negligent, and do not his or their best Endeavour for the Apprehension of such Vagabond or Rogue, which there shall beg or make abode, contrary to the Form in this Statute limited, or shall willingly suffer the said Vagabond or Rogue to escape from the Punishment or Order in this Statute prescribed, that then the said Constable or Tythingman in whom such Default shall be, shall lose
and

and forfeit for every such Vagabond and vagrant Person that shall be suffered to beg, or make abode within his Authority, contrary to the Form of this Statute, Six Shillings and Eight Pence : And forasmuch as Charity would that poor, aged and impotent Persons, should as necessarily be provided for as the said Rogues, Vagabonds and sturdy Beggars repressed, and that the said aged, impotent and poor People should have convenient Habitations and abiding Places throughout this Realm to settle themselves upon, to the End that they nor any of them should hereafter beg or wander about ; it is therefore enacted by the Authorities of this present Parliament, That the Justices of Peace of all and singular the Shires of *England* and *Wales*, within the Limits of their Commissions, and all other Justices of the Peace, Mayors, Sheriffs, Bailiffs and other Officers of all and every City, Borough, Riding and Franchises within this Realm, whereof they be Justices at Peace within the Limits of their Authority, shall, at or before the said Feast of *Saint Bartholomew* next coming, divide themselves, and so being divided, shall within every of their several Divisions and Authorities, make diligent Search and Inquiry of all aged, poor, impotent and decayed Persons born within their said Divisions and Limits, or which were there dwelling within Three Years next before this present Parliament, which live, or of necessity be compelled to live by Alms of the Charity of the People that be or shall be abiding within the Limits of their Commissions and Authorities ; and shall upon that Search made, make a Register Book, containing the Names and Surnames of all such aged, decayed and impotent poor People, as be within their said Limits and Authorities, which shall always remain with the said Justices, Mayors, Bailiffs or other Head Officers, or any one of them ; and when the Number of the said poor People forced to live upon Alms be by that Means truly known ; then the said Justices, Mayors, Sheriffs, Bailiffs and other Officers, shall within like convenient Time, devise and appoint within every their said several Divisions, meet and convenient Places by their Discretions, to settle the same poor People for their Habitations and Abidings, if the Parish within the which they shall be found shall not or will not provide for them, and shall also within like convenient Time number all the said poor People within their said several Limits ; and thereupon (having Regard to the Number) set down what Portion the Weekly Charge towards the Relief and Sustentation of the said poor People will amount unto within every their said several Divisions and Limits ; and that done, they the said Justices, Mayors, Sheriffs, Bailiffs and other Officers within every their several Commissions, Authorities, Divisions and Limits, shall by their good Discretions tax and assess all and every the Inhabitants dwelling in all and every City, Borough, Town, Village, Hamlet and Place known within the said Limits and Divisions, to such Weekly Charge as they and every of them shall weekly contribute towards the Relief of the said poor People ; and the Names of all such Inhabitants taxed, shall also enter into the said Register Book, together with their Taxation ; and also shall by their Discretion, within every their said Divisions and Limits, appoint or see Collectors for one whole Year to be appointed of the said weekly Portion, which shall collect and gather the said Proportion, and make Delivery of so much thereof, according to the Discretion

tion of the said Justices, Mayors, Sheriffs, Bailiffs and other Officers to the said poor People, as the said Justices, Mayors, Sheriffs, Bailiffs and other Officers shall appoint them; and also shall appoint Overseers of the said poor People by their Discretions, to continue also for one whole Year; and if they do refuse to be Overseers, then every of them so refusing to forfeit Ten Shillings for every such Default.

XV. And be it further enacted by the Authority aforesaid, That the Mayor of the City of *London*, and the Mayors, Sheriffs, Bailiffs and other Head Officers of every other City, Borough or Town Corporate, or his or their sufficient Deputy or Deputies within their Cities, Boroughs and Towns Corporate, and the Constables or Tithingmen of all and every Hundred, Rape and Wapentake, within all and every the said Shires in *England* and *Wales*, in all and every such abiding Place and Places within their Hundreds, Limits and Precincts, as shall be appointed to settle the poor People in, shall once every Month next after the said Places so appointed be inhabited with the said poor People, according to the Intent of this present Act of Parliament, make a View and Search of all the aged, impotent and lame Persons within the Precinct of their Jurisdictions; and all such Person and Persons as they shall find not being born within that Division, nor within the said Cities, Boroughs or Towns Corporate, then shall they presently see the same poor People not there born, nor dwelling within the said Three Years, (except leprons People and bedrid People), to be conveyed on Horseback, in Cart or otherwise, as shall seem best to their Discretions, to the next Constable, and so from Constable to Constable the directest Way, till the said Person and Persons be brought to the Place where he or she was born, or most conversant by the Space of Three Years next before, and there to be put in the abiding Place, or one of the abiding Places in that Country appointed, or to be appointed for the Habitation of the poor People of that Country, there to be provided, kept and nourished of Alms, as is aforesaid, upon Pain of Twenty Shillings every the said Officer that neglecting.

XVI. And be it further enacted by the Authority aforesaid, That if any of the said poor People, upon the Appointment of the said Justices or other Officers, refuse to be bestowed in any of the said abiding Places before mentioned, but covet still to hold on their Trade of Begging, or after they be once bestowed in the said abiding Place or Places do depart and beg, then the said Person and Persons so offending for the First Offence to be accounted a Rogue or Vagabond, and to suffer as a Rogue or Vagabond in the first Degree of Punishment set forth by this Act in all Points; and if he, she or they do the Second Time offend, then to be esteemed as a Rogue or Vagabond, and to suffer as a Rogue or Vagabond in the last Degree of Punishment set forth by this Act in all Points.

XVII. And it is further enacted by Authority of this present Parliament, That if any Manner of Person or Persons appointed and elected to be Collectors as is aforesaid, shall refuse the said Office, or shall, after he hath agreed to it, neglect the same, he shall forfeit and lose for every Offence to the Use of the Poor of the same Place Forty Shillings, of lawful Money of *England*, to be levied by Distress, or recovered by Action, Bill, Plaint or Information,

Information, in any Court of Record, or Lords Courts, by the High Constables or Tithingmen afore said; in which Suit, no Essoign, Protection nor Wager of Law, shall be allowed or admitted to the Party Defendant; and if the said High Constables shall be remiss or negligent to sue, or shall refuse to sue the said Collectors and every of them within Two Months next after such Refusal or Negligence in or by the said Collector, that then the said High Constables or Tithingmen shall forfeit and lose Five Pounds of lawful Money of *England*, to the Use of the Poor of the same Place, to be sued for by and in the Name of Two of the next Justices to the said Place or Places, being out of Cities, Boroughs and Towns Corporate; if within, then by the Mayor, Bailiffs or other Head Officers of the said Cities, Boroughs or Towns Corporate, in any Court of Record or Lords Court, by Action of Debt, Bill, Plaint or Information, in which no Essoign, Protection or Wager of Law shall be allowed.

XVIII. And further be it enacted, That the said Collectors, and every of them so to be chosen as is afore said, shall make their just Account half-yearly of their said Collection and Gathering to Two Justices of the Peace dwelling next to the said abiding Place or Places, not being within any City, Borough or Town Corporate, or to the Mayor, Sheriffs or other Chief Officers of the said Cities, Boroughs or Towns Corporate; and when they go out of their Offices, they shall deliver, or cause to be delivered forthwith upon their Accounts, all such Surpluses of their Collection and Gathering as shall then remain undistributed, to be ordered by the said Justices, Mayors, Bailiffs or other Head Officers, upon the said Pain of Ten Pounds: If any such Collector shall refuse to make his said Account, or neglect the same, by the Space of Fourteen Days after Request to him therefore made, then the said Two Justices, or One of them, to commit the said Collector to the next Gaol for the said County, there to remain without Bail or Mainprize, till he have made his said Account, and immediate Payment and Delivery of all such Surpluses as he hath received.

XIX. And be it further enacted, That if any Person or Persons being able to further this charitable Work, will obstinately refuse to give towards the Help and Relief of the said poor People, or do wilfully discourage others from so charitable a Deed, the said obstinate Person or wilful Discourager shall presently be brought before Two Justices of the Peace, whereof One to be of the *Quorum*, of the same County, to shew the Cause of his obstinate Refusal or wilful Discouragement, and to abide such Order therein as the said Justices shall appoint; if he refuse so to do, then to be committed to the next Gaol for the said Shire, there to remain until he be contented with their said Order, and do perform the same.

XX. And it is also further enacted, That if any of the said aged and impotent Persons, not being so diseased, lame or impotent, but that they may work in some Manner of Work, shall be by the Overseers of their said abiding Place appointed to work; if they refuse, then in Form afore said to be whipped and stocked for their First Refusal, and for their Second Refusal to be punished as in case of Vagabonds in the said first Degree of Punishment.

XXI. Provided

XXI. Provided always, and be it further enacted by the Authority of this present Parliament, That Three Justices of Peace, whereof One to be of the *Quorum*, of and with the Surpluses of the said Collections and Forfeitures, (the said poor and impotent People satisfied and provided for), shall by their Discretions, in such convenient Place and Places within their said Shires as they shall think meet, place and settle to work the Rogues and Vagabonds that shall be disposed to work, born within their said Counties, or there abiding for the most Part within the said Three Years, there to be holden to work by the Oversight of the said Overseers, to get their Livings, and to live and to be sustained only upon their Labour and Travail.

XXII. Be it also further enacted by the Authority of this present Parliament, That if any Beggar's Child, being above the Age of Five Years and under Fourteen Years, being Male or Female, shall be liked of by any Subject of this Realm of honest Calling, who shall be willing to take the said Child into Service, the said Subject shall at the next General Sessions to be holden for the said County, by Order of the Justices there, or the most Part of them, have the said Child bound with him; if it be a Man Child, till the Age of Four and Twenty Years, if it be a Woman Child, till the Age of Eighteen Years: If the Child do after depart, or be taken, or be enticed from the said Master or Mistress, the Master or Mistress to have their Remedy by Order of the Statute of Labourers, as for their Servant, either by Way of Action or otherwise, as well against the Child as against the Taker or Enticer thereof.

XXIII. Be it also enacted by Authority of this present Parliament, That all the Forfeitures appointed or to grow by this Statute, (except the Forfeitures of Justices of Peace), shall wholly go, and be employed to the Use of the Poor aforesaid, and shall be levied by Distress by the Discretion of the Justices of the same County, or Two of them, or other Head Officers aforesaid, and that the Justices of Peace in all Shires of *England*, shall in their Quarter-Sessions next after *Easter*, yearly examine the Performance or not Performance of this Statute, according to the Tenour thereof, as they are bound to do by the Statute of Labourers, and at their said Sessions shall yearly appoint new Collectors and new Overseers for the Causes aforesaid, and shall then also agree upon new Views and Searches of the said impotent People within every their Limits for the Year following if need shall be, and further at their said Sessions shall take Order by their good Discretion, for all and every Thing and Things that may in any wise further the Intent of this Act.

XXIV. And be it further enacted by the Authority aforesaid, That Three Justices of Peace, within all the Shires of this Realm, whereof One to be of the *Quorum*, shall have full Power by Authority of this present Parliament, to hear and determine all Causes (except Forfeitures of Justices of Peace) that shall come in question by reason of this present Act.

XXV. Provided also, That forasmuch as it is thought that the Inhabitants of divers Counties, Cities and Towns within this Realm, be not able to relieve the poor, lame and impotent Persons with Money, to be collected in Manner and Form aforesaid, and that it were over great a Burthen to the Collectors for to gather

Meat,

Meat, Drink, Corn or other Things for their Relief, to be employed and bestowed in Form aforelaid; therefore it is further enacted, That it shall be lawful to and for the Justices of the Peace, in their open Sessions of the Peace, or for the most Part of them there assembled, within any the Counties, Cities or Towns of this Realm, where Collection of Money cannot presently be had, as this present Act willett and appointeth, to grant Licence under their Hands and Seals, to such and so many of the said poor and impotent or diseased Persons, or to any other Person or Persons, to be by the said Justices assigned and allowed for the said Poor, to ask, gather and receive within such other Town, Parish or Parishes of the said County, as the said Justices, or the most Part of them there then in their said Sessions assembled, shall specially name, appoint, limit and assign, the charitable Devotion and Alms at the House or Houses of the Inhabitants of such Town, Parish or Parishes, by the said Justices named, appointed, limited or assigned, so that they do appoint the said Poor so to be relieved only within the Towns and Parishes being within the Divisions of the same Justices that so shall give such Licence or Licences; and that the Inhabitants of every such Parish or Parishes to the which such poor or impotent Persons shall be so appointed as is aforelaid, shall be coerced and bound by virtue of this Act, under such Pain as to the Discretion of the said Justices there in their Sessions assembled, or the most Part of them, shall seem convenient, to relieve the said poor and impotent Persons in such Sort as the said Justices there assembled shall appoint.

XXVI. And be it further enacted, That if it shall happen any City or Town Corporate to have in it more impotent and poor Folks not able to labour than the said Town or City is able to relieve, and the said City or Town Corporate is a County of itself, or situate or standing in one County, and immediately adjoining to another, that in those Cities or Towns, the Mayor or Head Officers of the said City or Town shall make Certificate to the Justices of the Counties adjoining to the said Cities or Towns, and the same Justices of the said adjoining County or Towns, in their General Sessions of the Peace, shall give Licence, and follow the Order above remembered, according as other Justices of the Counties in the which any Town or Parish surcharged standeth, are before limited and authorized to do.

XXVII. Provided always, and be it enacted by the Authority aforelaid, That all and every Sum and Sums of Money from henceforth to be collected or gathered within the City of *London*, and the Liberties of the same, by virtue of this Act, shall be paid unto the Governor of the Hospital called the Hospital of *Christ's Church*, within the said City of *London*, for the Time being, and shall be by them from Time to Time distributed and bestowed for the Relief of the Poor of the same City, according to their Wisdoms and Discretions; any Thing in this Statute contained to the contrary notwithstanding.

XXVIII. Provided also, and be it enacted by the Authority aforelaid, That all and every Sum and Sums of Money from henceforth to be collected or gathered within the City of *Coventry*, and the Liberties of the same, by virtue of this Act, towards the Maintenance and Relief of the Hospital of poor People erected

in the same City, shall be paid unto such Governor and Governors of the said Hospital as now is, or hereafter shall be admitted and appointed by the Mayor and Aldermen of the said City of *Coventry*, or the more Part of them for the Time being; and such Governor and Governors so admitted and appointed as is aforesaid, shall from Time to Time distribute and bestow for the Relief of the Poor within the said City, the said Sum or Sums of Money, according to their Wifdoms and Discretions; any Thing mentioned in this Act to the contrary notwithstanding.

XXIX. Provided also, and be it enacted by the Authority aforesaid, That all and every Sum and Sums of Money from henceforth to be paid, collected or gathered within the City of *Gloucester*, Liberties and Limits of the same City, for and toward the Use or Relief of the Poor, and all and every other Relief which shall be due and payable, or is to be yielded within the said City, Liberties or Limits, for and toward the Relief of the said Poor, shall be from Time to Time paid and delivered, or otherwise shall stand and be at the only Rule, Order and Disposition of the President and Governors of the Hospital of *Saint Bartholomew*, of the Foundation of our now most gracious Sovereign Lady Queen *Elizabeth*, within the said City of *Gloucester* for the Time being, and shall be by them from Time to Time distributed and bestowed for the Relief of the Poor of the said City, according to their Wifdoms and Discretions.

XXX. And be it further enacted by the Authority aforesaid, That the Bishop of every Diocefe, or his Chancellor for the Time being, shall yearly visit all Hospitals in the Diocefe of such Bishop, where no Visitor by the Founder or Founders is appointed, if the Founder of the said Hospital be then dead, and to see and take order that the said Hospitals be ordered and used according to the Statutes and Ordinances of the Foundation thereof, and if the Founder be then living, the said Founder to visit the same during his Life, without any the Bishops Visitation, and the same Visitation to be at the only Costs and Charges of the Visitors, and not of the Hospital; and that it shall be lawful to the Bishop of the Diocefe for the Time being, where such Hospital is or shall be, or his Chancellor, upon Complaint or other Intelligence of just Cause, to take Account how the Rents, Revenues and Profits of any such Hospital hath been bestowed and spent, to call before him or them at the said Hospital to account, all such Person and Persons as have had the Collection or Receipt of any the said Rents, Issues, Revenues or Profits; and if any Person or Persons so called shall and do refuse to account, or entering into account shall refuse to proceed and finish the same, or upon the finishing thereof shall refuse forthwith to employ or answer to the Use of the said Hospital such Sum or Sums of Money as upon the same Account shall appear to be due by him, that then every such Person and Persons so refusing shall forfeit and lose such Sum and Sums of Money, as to the said Bishop or Chancellor, and to Two Justices of the Peace next inhabiting to the said Hospital, shall be thought meet and convenient, to which Accounts the said Bishop or Chancellor shall call the same Two Justices of Peace.

XXXI. Provided also, and be it further enacted by the Authority aforesaid, That no Person or Persons having Charge of any Viage in passing from the Realm of *Ireland*, or from the

Ile of Man, into this Realm of *England*, do from the last Day of *June* next coming, wittingly or willingly transport, bring, carry or convey, or suffer to be transported, brought, carried or conveyed in any Ship, Picarde, Vessel, Boat or Boats, from and out of the said Realm of *Ireland*, or from or out of the said *Ile of Man*, into the Realm of *England* or *Wales*, or any Part thereof, any Vagabond, Rogue or Beggar, or any such as shall be forced, or very like to live by begging within the Realms of *England* or *Wales*, being born in the Realm of *Ireland*, or in the said *Ile of Man*, on pain of every such Person or Persons so bringing, transporting, carrying or conveying, either suffering to be brought, transported, carried and conveyed in any Manner and Form aforesaid, to forfeit and lose for every such Vagabond, Rogue, Beggar or other Person which shall be forced or like to live by begging within this Realm of *England* or *Wales*, being transported and set on Land in any Part of *England* or of *Wales*, Twenty Shillings of lawful *English* Money, to the Use of the Poor of the same Parish in which they were set on Land, to be levied by the Collectors of the same Poor for the Time being, by Seizure and selling of any the Goods and Chattels of the same Person which shall so bring, transport, carry or convey any such Rogue, Vagabond or Beggar, or other Person which shall be forced or like to live by begging within the Realm of *England* or of *Wales*, to the Value of the same Forfeiture, and on the Pain of the same Vagabonds, Rogues and Beggars so set on Land, to be punished as the other Vagabonds and sturdy Beggars in this Act before mentioned and declared.

XXXII. And be it likewise enacted, If any such *Manist* or *Irish* Rogue, Vagabond or Beggar, been already or shall at any Time hereafter be set on Land in any Part of *England* or of *Wales*, the same shall be conveyed to the next Port in or near which they were landed, and from thence be transported at the common Charge of the County where they were set on Land, into those Parts from whence they came or were transported.

XXXIII. Also be it provided, That if any Manner of Person shall hereafter find him or herself grieved with any Taxation set upon them by virtue of this Act, it shall be lawful for them at the next General Sessions of the Peace, to be holden within the same Shire where their Taxation shall be, to make Complaint thereof to the Justices of the Bench, and to be eased of their excessive Charge, by the Discretion of the whole Bench, or the most of them; and if any Default shall be hereafter found in any Justices of Peace, or *Quorum*, in or about the Execution of this Act, every of the said Justices, upon Proof of their said Default by Two sufficient Witnesses before the Justices of Assize, at the next General Sessions of Gaol Delivery for the same County after the same Default, shall forfeit and lose Five Pounds of lawful *English* Money, the One Half whereof to be to the Use of the said poor People of the same County, and the other Half to the Queen's Majesty, which said Forfeiture shall be levied by Distress, by the Discretion of the said Justices of Assizes.

XXXIV. And whereas a great Number of poor and diseased People do resort to the City of *Bath*, in the County of *Somerset*, and the Town of *Buckstone*, in the County of *Derby*, for some *ease and Relief* of their Diseases at the *Baths* there, and by

Means thereof the Inhabitants of the same City of *Bath* and Town of *Buckstone* are greatly overcharged with the same poor People, to their intolerable Charge; Be it enacted by the Authority aforesaid, That no diseased or impotent poor Person, living on Alms at any Time after the Feast of *Saint Bartholomew* the Apostle next coming, shall resort or repair from their Dwelling Places to the said City of *Bath* and Town of *Buckstone*, or either of them, to the Baths there for Ease of their Grief, unless such Person be not only licensed so to do, by Two Justices of the Peace of the County where such Person doth or shall then dwell and remain, but also provided for by the Inhabitants of such Hundreds, Parishes or Places from whence they shall so be licensed to travel, of such Relief for and towards his Maintenance, as shall be necessary for the same Person, for the Time of such his Abode at the said City of *Bath* and Town of *Buckstone*, or either of them, and return home again as shall be limited by the same Licence, upon Pain to be reputed, punished and used as Vagabonds, by the Purview of this Estatute; and that the Inhabitants of the same City and Town shall not in any wise be charged by this Act with the Finding or Relief of any such poor People.

XXXV. And for the better Performance of this charitable Act, it is ordained and established by Authority aforesaid, That whereas the late King of famous Memory King *Henry* the Eighth, his Heirs or Successors, or any other Person or Persons, heretofore by his or their several and lawful Erections and Foundations, hath or have ordained or appointed any Sum or Sums of Money, Rents, Reliefs or Commodity to the Use of the Poor, or for the repairing or mending of Highways or Bridges, not being taken away otherwise by Act of Parliament, whether the same be in any Cathedral Church, College or elsewhere, that the Bishop of the Diocese, or his Chancellor, within which the said Cathedral Church, College or Place is, and the Justices of the Peace of the County within the which the said Cathedral Church, College or Place is, or Three of them, (whereof One to be of the *Quorum*), shall have Authority from Time to Time to examine how and after what Manner the said Money, Rent, Relief or Commodity is bestowed; and to call to account the Parties which do detain the said Money, Rents or Relief, and thereupon to take such Order for the Distribution of the same, as to their Discretions shall seem most fit and agreeable to the good Intent of the Founders, Givers or Granters, and thereof to make Certificate in the High Court of Chancery once in every Year.

XXXVI. Provided always, That whereas by reason of this Act, the Common Gaols of every Shire within this Realm are like to be greatly pestered with a more Number of Prisoners than heretofore hath been, for that the said Vagabonds and other lewd Persons before recited, shall upon their Apprehension be committed to the Common Gaol of the same Shire where they are so taken and apprehended, and that in most Shires of this Realm the Common Gaols are in such Towns where there be a great Number of poor People, more than they are well able to sustain with their Relief, and in some Shires the Assizes are kept far distant from the Place where the Common Gaols are, by reason whereof the said Prisoners are like to famish for want of Sustenance, if they be not therefore provided :

XXXVII. For Remedy whereof, be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for the Justices of Peace of every Shire within this Realm, at their General Quarter-Sessions of the Peace to be holden within the same Shires, or the most Part of the said Justices being then present, to rate and tax every Parish within the said Shires, at such reasonable Sums of Money for and towards the Relief of the said Prisoners, as they shall think convenient by their Discretions, so that the said Taxation and Rate doth not exceed above Six Pence or Eight Pence by the Week out of every Parish; and that the Churchwardens of every Parish within this Realm for the Time being, shall every *Sunday* levy the same, and once every Quarter in the Year pay to the High Constables or Head Officers of every Town, Parish, Hundred, Riding or Wapentake within this Realm, all such Sums of Money as their Parish shall be rated and taxed for and towards the Relief of the said Prisoners within their said several Parishes; and that the said High Constables and Head Officers, and every of them, shall pay all such Sums of Money so to them paid by the said Churchwardens, at every General Quarter-Sessions to be holden within the said several Shires, to such sufficient Persons dwelling nigh the said Gaols, as shall be appointed by the said Justices in their said open Quarter-Sessions, to be there ready to receive the said Money so collected as is aforesaid; and that the Collectors for the said Prisoners shall weekly distribute and pay all such Sums of Money, as they and every of them shall receive for the Relief of the said Prisoners as aforesaid, upon Pain as well the said Churchwardens of every Parish, Constables and Head Officers of every Hundred or Wapentake, as also the said Collectors appointed for the Collection and Contribution of the said Prisoners for making Default as aforesaid, to forfeit Five Pounds, the one Moiety thereof shall be to the Use of the Queen's Majesty, her Heirs and Successors, and the other Moiety to the Relief of the Prisoners; any Statute, Law, Custom, Use or other Thing to the contrary in any wise notwithstanding.

XXXVIII. Provided always, That the Justices of Peace within any County of this Realm, or *Wales*, shall not intromit or enter into any City, Borough, Place or Town Corporate, where be any Justice or Justices of Peace for any such City, Borough, Place or Town Corporate, for the Execution of any Branch, Article or Sentence of this Act, for or concerning any Offence, Matter or Cause growing or arising within the Precincts, Liberties or Jurisdictions of such City, Borough, Place or Town Corporate; but that it may and shall be lawful to the Justice and Justices of Peace, Mayor, Bailiffs, and other Head Officers of those Cities, Boroughs, Places and Towns Corporate, where there be Justice or Justices, to proceed to the Execution of this Act, within the Precinct and Compass of their Liberties, in such Manner and Form as the Justices of Peace in any County may or ought to do within the same County by virtue of this Act; any Matter or Thing in this Act expressed to the contrary thereof notwithstanding.

XXXIX. And that every Justice and Justices of the Peace, within every such City, Borough, Place and Town Corporate, for every Offence by them or any of them to be committed contrary to the Intent and Meaning of this Statute, shall be punishable and chargeable

chargeable as other Justices of Peace at large in the Counties are by this Act above appointed to be.

XL. Provided always, and be it further enacted by the Authority aforesaid, That if it shall chance any City or Town Corporate to have in it more poor Folks than the Inhabitants thereof shall be able to relieve, that in such Case, upon Certificate thereof made, and of the Number and Names of the Persons with which they be so furcharged, unto the Justices of the Peace of the County in which such City or Town Corporate shall lie and be situate, at their Quarter-Sessions of the Peace, by Two Justices of Peace of the said County, and the Mayor or other Head Officer of the same City or Town Corporate; the Justices may by their Discretions in the same Sessions, take, order, appoint and cause the same poor Folk so certified to be provided for and relieved, by giving of Licence to beg, or otherwise, in some other Place or Places of the said County, out of such City or Town Corporate so furcharged.

XLI. Provided alway, That this Act, or any Thing therein contained, shall not extend to the poor People for the Time being in the Hospital called *Saint Thomas Hospital*, otherwise called the *King's Hospital*, in the Borough of *Southwark*, near adjoining to the City of *London*, but that the Mayor, Commonalty and Citizens of the said City of *London* for the Time being, shall and may only have the Rule, Order and Government of the said Hospital, and of the Poor People therein for the Time being; any Thing in this Act to the contrary notwithstanding.

XLII. Provided always, That this Act, or any Thing therein contained, or any Authority thereby given, shall not in any wise extend to disinheret, prejudice or hinder *John Dutton* of *Dutton*, in the County of *Chester*, Esquire, his Heirs or Assigns, for, touching or concerning any Liberty, Privilege, Pre-eminence, Authority, Jurisdiction or Inheritance, which the said *John Dutton* now lawfully useth or hath, or lawfully may or ought to use within the County Palatine of *Chester*, and the County of the City of *Chester*, or either of them, by reason of any ancient Charters of any Kings of this Land, or by reason of any Prescription or other lawful Usage or Title whatsoever.

XLIII. This Act to endure for Seven Years, and from thence to the End of the next Parliament then next following.

[So much of this Act as concerns the gaoling, boring through the Ear and Death, in the Second Degree of Vagabonds, repealed, 35 Eliz. c. 7. § 24; as concerns the Punishment of Vagabonds, 39 Eliz. c. 4. See the Act explained and amended as to Bastards, 18 Eliz. c. 3. Continued, 39 Eliz. c. 18. § 38. 41. and so much thereof as concerns the taxing, rating, levying and employing of Gaol Money, continued, 1 Jac. 1. c. 25. § 32. 21 Jac. 1. c. 28. § 1. 3 Car. 1. c. 4. § 14. 22. 16 Car. 1. c. 4. So much thereof as relates to the Method of taxing Parishes for the Relief of Prisoners, repealed 12 G. 2. c. 29. § 22.; and the remainder appears to be expired.]

C A P. VI.

An Act for the Explanation of a Statute made against Fugitives over the Seas, in the Thirteenth Year of the Queen's Majesty's Reign. EXP.

C A P. VII.

An Act against the Deceits of Under-Collectors of the Tenths and Subsidies of the Clergy.

13 Elis. c. 4.
extended to Under-Collectors.

‘ **F**OR avoiding and Redress of great Deceits done to the Queen’s Majesty, and to the Prelates and Clergy of this Realm, by Under-Collectors of the Tenths and Subsidies of the Clergy, appointed by and under the Archbishops and Bishops of this Realm, and Deans and Chapters, (*Sede vacante*); Be it enacted, That the Statute made in the Thirteenth Year of her Majesty’s Reign, to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers, &c. to be liable to the Payment of their Debts, shall to all Intents and Purposes as amply and largely extend, and be construed to extend, to all such Under-Collectors of Tenths and Subsidies of the Clergy, and to their Lands, Tenements and Hereditaments, Goods and Chattels, for satisfying of such Money as they have collected, or shall collect of the said Tenths and Subsidies to the Use of the Queen’s Majesty, her Heirs or Successors, (of what yearly Sum soever the Charge of their Collection is or shall be), in like Form as it doth extend to the Tellers, Receivers and other Persons accountant, whom the said Act specially and expressly concerneth, and in as ample wise, as if such Under-Collectors were immediately accountant to the Queen’s Majesty, her Heirs or Successors; any Provision in the said Statute or other Matter whatsoever to the contrary notwithstanding.

Under-Collectors shall account in the Exchequer.

Bishop how discharged.

II. And that every such Under-Collector shall upon Process to be awarded out of the Court of Exchequer, be chargeable to account for his Receipt of such Tenths and Subsidies as any Receiver immediately accountant to her Majesty is or ought to be; and that every Archbishop and Bishop, and Dean and Chapter, (*Sede vacante*) to whose Charge the Collection of such Tenths or Subsidies doth or shall appertain, shall be discharged of so much of the said Tenths and Subsidies as shall be satisfied to the Queen’s Majesty, her Heirs or Successors, of or by the Lands, Tenements, Hereditaments, Goods or Chattels of such Under-Collector or his Heirs, without any other Warrant whatsoever in that Behalf to be obtained.

[Revived 1 Jac. 1. c. 25. § 31. See, as to Collectors of the Tenths, 3 G. 1. c. 10.]

C A P. VIII.

An Act for the avoiding of Recoveries suffered by Collusion, by Tenants for Term of Life, and such others.

‘ **W**HERE divers Persons being seised or that have been seised of Lands, Tenements and Hereditaments, as Tenants by the Courtesy of England, Tenants in Tail after Possibility of Issue extinct, or otherwise, only for Term of Life or Lives, or of Estates determinable upon Life or Lives, have heretofore permitted and suffered other Persons by Agreement or Covin between them had, to recover the same Lands and Tenements and other Hereditaments against the same particular Tenants in the Queen’s Majesty’s Court, or have permitted and suffered themselves to be vouched by other Persons, by Agreement

ment or Covin between them had, in Recoveries suffered of the same Lands, Tenements and other Hereditaments in the Queen's Majesty's Court, to the great Prejudice of those to whom the Reversion or Remainder thereof hath appertained or ought to appertain :

II. For Remedy whereof, be it enacted by the Queen's most excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That all such Recoveries hereafter to be had or prosecuted by Agreement of the Parties, or by Covin as is aforesaid, against any such particular Tenant of any Lands, Tenements or Hereditaments, whereof the same particular Tenant is or hereafter shall be seised of any such particular Estate as is aforesaid, or against any other with Voucher over of any such particular Tenant, or of any having or that had Right or Title to any such particular Estate or Tenancy as is aforesaid, shall from henceforth, as against such Person or Persons to whom any Reversion or Remainder thereof by Force of any Conveyance or Devis before that Time had or made, shall, ought or lawfully may appertain; and against their Heirs and Successors, be clearly and utterly void and of none Effect; any Law or Usage heretofore had to the contrary thereof in any wise notwithstanding.

Recoveries by
Covin shall be
void.

III. Provided alway, That this Act, nor any Thing therein contained, shall extend or be prejudicial to any Person or Persons that shall hereafter by good Title recover any Lands, Tenements or Hereditaments, without Fraud or Covin, by reason of any former Right or Title; but that all and every such Recovery and Recoveries so to be had or prosecuted upon former Rights or Titles, shall stand and be in like Force, Strength and Effect, as they were before the making of this Act; any Thing herein contained to the contrary in any wise notwithstanding.

Recovery by
good Title.

IV. Provided also, That all and every such Recovery and Recoveries to be had or prosecuted of any Lands, Tenements or Hereditaments as aforesaid, by the Assent and Agreement of any Person or Persons to whom any Reversion or Remainder thereof then shall or ought to appertain, (so that the same Assent and Agreement do appear of Record in any Court of our Sovereign Lady the Queen's Majesty, her Heirs or Successors), shall stand and be in like Force, Strength and of like Effect, against such Person and Persons that shall so assent and agree, their Heirs and Successors, as they were before the making of this Act; any Thing herein contained to the contrary in any wise notwithstanding.

A Recovery by
the Assent of
him in the
Reversion, &c

“ 32 H. 8. c. 31. repealed. § 5.

C A P. IX.

An Act declaring that the Tenant and Defendant may have a *Tales de Circumstantibus*, as well as the Demandant or Plaintiff.

FOR the avoiding of great and chargeable Delays oftentimes happening unto Tenants and Defendants, be it enacted, That in all Cases, whereas the Party Plaintiff or Demandant by any Statute heretofore made, may have upon his or their Request made unto the Justices of *Nisi Prius* within this Realm of England, or to the Justices of *Oyer* or of *Assises* of the Twelve Shires of

Tales de Circumstantibus
where granted.

Wales, and of the Counties Palatines of *Lancaster*, *Chester* and *Durham*; a *Tales de Circumstantibus*, that in all and every such Case and Cases, the Party and Parties, Tenants, Actors, Avowants and Defendants, (if the Plaintiffs or Demandants shall upon the calling of the principal Panel or Jury forbear or refuse to pray the same), shall and may, upon his or their Request or Desire, have upon the same Record and by the same Justices the *Tales* or *Taleses* unto them granted, in like Manner, Form and Degree, to all Respects and Purposes, as the Plaintiff or Demandant in any Suit or Action may have the same by any Statute or Ordinance heretofore made or set forth; and the rather for the speedy Trial of the Issue and Issues joined or hereafter to be joined in any Plea, Suit or Action; any Law, Custom or Usage heretofore used to the contrary thereof in any wise notwithstanding.

Defendant may
have a *Talis* in
popular Actions.

II. Provided also, and be it further enacted by the Authority aforesaid, That in all popular Actions, Informations, Bills or Suits commenced or had, or hereafter to be commenced or had, in any the Queen's Majesty's Courts of Record, upon any Penal Laws or Statutes wherein any Person doth or shall sue or prosecute, or inform, as well for the Queen's Majesty, her Heirs and Successors, as for himself, whereupon Issue is or shall be joined to be tried by the Country, that therein the Party Defendant or Defendants shall be admitted to pray, and have a *Tales de Circumstantibus* as in other Cases aforesaid.

C A P. X.

An Act to reform the excessive Length of Kerfies.

" NO Person using the Trade of making of Kerfies shall purposely
" make any above the Length of Eighteen Yards.

[*Repealed*, 3 Jac. 1. c. 16. § 2.]

C A P. XI.

An Act for the Continuation, Explanation, Perfecting and Enlarging of divers Estatutes.

" 24 H. 8. cc. 7. 9. 3 & 4 E. 6. cc. 19. 21. 5 Eliz. c. 2. 1 Eliz.
" c. 17. 5 Eliz. cc. 7. 9. 8 Eliz. cc. 10. 15. 13 Eliz. cc. 5. 20.
" 21. 25. continued until the End of the next Parliament. § 1—12.

13 Eliz. c. 25.
§ 17. repealed.

" XIII. And where in the Statute made in the Thirteenth Year
" of the Queen's Majesty's Reign, intituled, *An Act for the Re-
" viving and Continuance of certain Statutes*, is contained one Proviso,
" That the said Act concerning the Avoiding of foreign Wares made
" by Handicraftsmen beyond the Seas, or any Clause, Article or
" Meaning therein contained, should not in any wise extend or be
" prejudicial to any Intercourse or Treaties of any Intercourse
" then standing in force, had or made between the Progenitors of
" the Queen's Majesty, or her Highness, and any others: Now
" for good Considerations, and specially that Strangers may not be at
" Liberty, and the Queen's Majesty's natural Subjects restrained,
" be it enacted, That the said Proviso, and every Clause, Article
" and Matter therein contained, shall from henceforth be repealed
" and utterly void.

13 Eliz. c. 20.

" XIV. Provided also, and be it enacted that these Words '[So
" soon as it or any Part thereof shall come to any Possession or
" Use

' Use above forbidden, or]' which Words are contained in the said Statute made in the said Thirteenth Year, touching Leases of Benefices, and other Ecclesiastical Livings with Cure (a), shall not be revived by this Act but remain discontinued, and shall from henceforth be omitted out of the said Act; any Thing in the said Act or in this Act to the contrary notwithstanding.

(a) [13 Eliz. c. 20. repealed 43 G. 3. c. 84. § 10.]

' XV. And where sundry evil disposed Persons have defrauded the true Meaning of the said last mentioned Statute made in the said Thirteenth Year, by Bonds and Covenants of suffering other Persons to enjoy Ecclesiastical Livings, and the Fruits thereof, for that such Bonds and Covenants are not in Law taken to be Leases, although indeed they amount to as much: Be it therefore enacted, That all Bonds, Contracts, Promises and Covenants hereafter to be made for suffering or permitting any Person to enjoy any Benefice or Ecclesiastical Promotion with Cure, or to take Profits or Fruits thereof, other than such Bonds and Covenants as shall be made for Assurance of any Lease heretofore made, shall be to all Intents and Purposes adjudged of such Force and Validity and not otherwise, as Leases by the same Persons made of such Benefices and Ecclesiastical Promotions with Cure.

Bonds, &c. for enjoying Leases, void.

[See Note to Sect. 14.]

' XVI. And be it further declared and enacted, That all Leases, Bonds, Promises and Covenants of and concerning Benefices and Ecclesiastical Livings with Cure, to be made by any Curate, shall be of no other nor better Force, Validity or Continuance, than if the same had been made by the beneficed Person himself that demised or shall demise the same to any such Curate.

Leases made by Curates.

' XVII. And where in one other Act made in the said Thirteenth Year, intituled, *An Act against fraudulent Gifts, to the Intent to defeat Dilapidations of Ecclesiastical Livings, and for Leases to be granted by Collegiate Churches*, there is one Branch to avoid certain Leases to be made by Masters and Fellows of Colleges, Deans and Chapters of Cathedral or Collegiate Churches, Masters or Guardians of any Hospital, or by any Person, Vicar or any other, having any Spiritual or Ecclesiastical Living: Be it enacted, That the said Branch, nor any Thing therein contained, shall not extend to any Grant, Assurance or Lease of any Houses belonging to any the Persons or Bodies Politick or Corporate aforesaid, nor to any Grounds to such Houses appertaining, which Houses be situate in any City, Borough, Town Corporate or Market Town, or the Suburbs of any of them; but that all such Houses and Grounds may be granted, demised and assured, as by the Laws of this Realm, and the several Statutes of the said Colleges, Cathedral Churches and Hospitals, they lawfully might have been before the making of the said Statute, or lawfully might be if the said Statute were not; so always that such House be not the Capital or Dwelling-house used for the Habitation of the Persons aforesaid, nor have Ground to the same belonging above the Quantity of Ten Acres; any Thing in the said Act to the contrary notwithstanding.

13 Eliz. c. 10. § 2.

Leases of Houses made by Spiritual Persons.

' XVIII. And be it further enacted, That all Sums of Money hereafter to be recovered, for or in Name of Dilapidations, by Sentence, Composition or otherwise, shall within Two Years after such Receipt be truly employed upon the Buildings and Repara-

Dilapidations.

tions

Penalty.

tions in respect whereof such Money for Dilapidations shall be paid; on Pain that every Person so receiving and not employing as aforesaid, shall forfeit double as much as so shall be by him received and not employed; the which Forfeiture shall be to the Use of the Queen's Majesty, her Heirs and Successors.

Provide.

XIX. Provided alway, and be it enacted, That no Lease shall be permitted to be made by force of this Act in Reversion, nor without reserving the accustomed yearly Rent at the least, nor without charging the Lessee with the Reparations, nor for longer Term than Forty Years at the most; nor any Houses shall be permitted to be aliened, unless that in Recompence thereof there shall be afore, with or presently after such Alienation, good, lawful and sufficient Assurance made in Fee Simple absolutely to such Colleges, Houses, Bodies Politick or Corporate, and their Successors, of Lands of as good Value, and of as great yearly Value at the least, as so shall be aliened; any Statute to the contrary notwithstanding.

Statutes continued.

XX. And forasmuch as all the same several Acts and Statutes, and every of them, do seem good, beneficial and needful to be further continued, for the Weal and Profit of this Realm, Be it therefore now enacted, by the Queen's most excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the same several Acts and Statutes and every of them, and all and every Article, Clause and Sentences in them and every of them contained, shall continue, be and endure in full Force and Effect until the End of the next Parliament.

C A P. XII.

An Act for the Repeal of a Statute made *Anno octavo* of the Queen's Majesty's Reign, touching the Town of *Shrewsbury*.

8 Eliz. c. 7.

§ 3.

WHERE at the Parliament holden at *Westminster* the last Day of *September* in the Eighth Year of the Reign of our Sovereign Lady the Queen's most excellent Majesty, there was an Act made, intituled, *An Act touching Drapers, Cottoners and Frizers in the Town of Shrewsbury in the County of Salop*: And in the same Act there is contained Matter then supposed for the Benefit of the said Town of *Shrewsbury*, in advancing the Corporation of Drapers, Cottoners and Frizers of the said Town: And it was thereby enacted, That from and after the Feast of *Easter* then next ensuing, no manner Person or Persons whatsoever, inhabiting and dwelling within the said Town of *Shrewsbury*, or the Liberties or Franchises of the same Town (other than such as then had, or then after should serve as Apprentice in the Occupation or Science of Drapers, or then had been, or thereafter should be, free of the said Science or Mystery) should occupy, use, exercise or frequent the said Trade, Art, Mystery or Science of buying of the said *Wool*, Cloth or Lining, Cottons, Frizes or Plains, nor have any Factor or Doer for him or them in the same, nor by any Colour, Engine or Fraud, buy any of the said Frizes, Linings, Cottons and Plains; upon Pain that every Person and Persons inhabiting as is aforesaid, and occupying, using or exercising the said Trade;

Art.

• Art, Myſtery, Occupation or Science of buying of *Welſh* Clothes and Linings, &c. and not authorized by the Act, ſhould loſe and forfeit for every Piece of the ſaid Clothes bought, Six Shillings Eight pence :

• II. And where ſithence the making of the ſaid Act, Experience hath plainly taught in the ſaid Town, that the ſaid Act hath not only brought the good Effect that then was hoped and ſurmised, but alſo hath been and now is likely to be the very greateſt Cauſe of the Impoveriſhing and Undoing of the poor Artiſicers and others, at whoſe Suit the ſaid Act was procured, for that there be now, ſithence the making of the ſaid Statute, much fewer Perſons to ſet them a-work than before ; and by reſtraining all other Inhabiters of the ſaid Town of *Shrewsbury* from the former lawful Trade ever heretofore uſed of buying of *Welſh* Clothes, Frizes, Cottons, Linings and Plains (leaving the ſame nevertheless free for all the Subjects of *England*, without any Reſtraint, ſaving for the ſaid Inhabitants of the Town of *Shrewsbury* and the Liberties and Franchiſes of the ſame Town only) hath been the evident Occaſion of great Decay, not only to the ſaid Town, and the Liberties and Franchiſes of the ſame, but alſo to a great and infinite Number of poor People in *North Wales*, that is to ſay, in the Counties of *Montgomery*, *Denbigb*, *Merioneth*, and alſo the Town of *Oſweſter*, and the greateſt Part of the Country thereabouts, where the ſaid *Welſh* Clothes, Frizes, Cottons, Linings and Plains are made and ſold, which were wont to be maintained and relieved by Trade of making or working of the ſaid Frizes, Cottons, &c. contrary to the Expectation that then was wrongfully conceived :

• III. Be it therefore, at the humble Suit of the Inhabitants of the ſaid Town, and alſo of the ſaid Artiſicers, for whoſe Benefit the ſaid Act was ſuppoſed to be provided, enacted, That the ſaid Act, and all the Matter in the ſaid Act contained, ſhall from henceforth be repealed and made void ; any Thing in the ſaid Act to the contrary notwithstanding.

8 Eliz. c. 7. in part repealed, and the Reſidue confirmed.

• IV. Provided always, That ſo much of the ſaid Statute of the Eighth Year of our Sovereign Lady the Queen's Maſteſty that now is, and every Article and Branch therein contained as toucheth the preſent and ready Payment of Money to Sheermen, Cottoners and Frizers, for their Work, and alſo as toucheth the Reſtraint of ſuch as ſhall or do occupy or uſe the Trade of buying of Frizes, Cottons or Plains, from the Uſe or Exerciſe of the Faculty of Frizing or Cottoning, ſhall ſtand and be in force ; any Thing in this Statute to the contrary notwithstanding.

C A P. XIII.

An Act for the annexing of *Hexam* and *Hexamſhire* to the County of *Northumberland*.

• **W**HERE for the Space of divers Years now paſt, the Queen her Highneſs, and her moſt noble and dearly beloved Father King *Henry* the Eighth, King *Edward* the Sixth her Highneſs Brother, Queen *Mary* her late Siſter, as in the Right of the Imperial Crown of this Realm of *England*, by reaſon of one Exchange had and paſſed between the ſaid late King

' King *Henry* the Eighth, and the late Reverend Father *Robert*
 ' Archbishop of *York*, in the Year of the most noble Reign
 ' of the said late King *Henry*, have been, and her Majesty yet is
 ' seised of and in the Franchise and Liberty of *Hexam* and *Hexam-*
 ' *shire*, lying within the Body and Middle of the County of
 ' *Northumberland*, which said Liberty and Territory, when it was
 ' in the Hands of the said Archbishop, was commonly termed and
 ' named a County Palatine, where in Right or Proof there was
 ' none such, yet by reason of that Error, ever since, and yet, there
 ' hath been and are divers Opinions, besides some Question and
 ' Doubts, whether the said Liberty and Territory of *Hexam* and
 ' *Hexamshire* should and ought to be Part of the said County of
 ' *Northumberland*, or otherwise exempted, and whether the Dwellers
 ' and Inhabiters there should and ought to be justifiable, and
 ' answer to Justice as other of the said County of *Northumberland*
 ' are and ought, or not; and the like Question and Doubt yet is
 ' and remaineth; by Reason whereof, not only Pleas of the Crown
 ' and Suits betwixt Party and Party have suffered continual Stays,
 ' Lets, and also have had no End of Trial, and besides, the most
 ' and greatest Offenders to the Crown and their Country have
 ' and daily run thither as unto a Sanctuary, upon Hope and Trust
 ' of Refuge and Safeguard thereby, to the great Comfort and
 ' Encouragement of many, the vilest and worst Subjects and
 ' Offenders in all the North Parts, and to the great Offence of
 ' the Almighty, and most manifest Hindrance of good Execution
 ' of Laws and Justice: In and for due Remedy and Redress of
 ' such great Enormities and apparent Mischiefs, may it therefore
 ' please the Queen her Majesty, that by her Highness, the Lords
 ' Spiritual and Temporal, and the Commons, in this present High
 ' Court of Parliament now assembled, that it may be enacted, mani-
 ' fested and declared, by Authority of the same, That the said
 ' Territory, Franchise and Liberty of *Hexam* and *Hexamshire*, with
 ' the Liberties of the same, may be, is and shall be from henceforth
 ' taken to be within and Part, Parcel and Member of the said
 ' County of *Northumberland*. And that as well the Pleas of the
 ' Crown, as also all Suits betwixt Party and Party, may proceed,
 ' and have their due End and Trial within the said County of
 ' *Northumberland*, by and before the Sheriff and Coroners of the said
 ' Shire, and also before the Justices of Peace, Justices of Gaol De-
 ' livery, Justices of Assise, *Nisi Prius*, Oyer and Determiner, and
 ' other Officers, and each and every of them, as the Case shall
 ' require, and take Effects as any of the like have been, or ought
 ' to be, which have happened or shall hereafter happen within the
 ' said County of *Northumberland*; and that from henceforth the
 ' Sheriff and other Officers of the County of *Northumberland* for the
 ' Time being may have full Power and Authority to execute his or
 ' their Office, and all Processes to him or them directed within
 ' *Hexam* and *Hexamshire*, and Liberties of the same, in as ample and
 ' large Manner as he or they may, should or ought to do, within
 ' any other Part of the said County of *Northumberland*, any Grant,
 ' Privilege, Custom, Usage, Liberty or Thing else whatsoever
 ' heretofore made, claimed, used, had, put in Ure or Execution,
 ' or enjoyed, to the contrary notwithstanding. Saving to the Bailiff
 ' of the Liberties, or other Officers of the said Town of *Hexam* and
 ' *Hexamshire*,

Pleas of the
 Crown, &c.
 Proceedings.

Shire.

Being.

Hesamshire, or the Liberties thereof, all Liberties and Privileges for executing of Proceſs, Return of Writs, and otherwiſe, as they or any of them of Right ought to have before the making of this Act.

C A P. XIV.

An Act for the Affurance of Gifts, Grants, &c. made and to be made to and for the Relief of the Poor in Hospitals, &c.

WHERE our late Sovereign Lord of famous Memory King *Edward* the Sixth, by his Letters Patents dated the Twenty ſixth Day of *June* in the Seventh Year of his moſt gracious Reign, did found, erect and eſtabliſh Three Hospitals in and near to the City of *London*, called the Hospitals of King *Edward* the Sixth, of *Chriſt*, *Bridewell* and *St. Thomas* the Apoſtle; and by his ſaid Letters Patents gave and granted Power and Liberty for purchaſing of Lands, Tenements and Hereditaments for the Relief and Suſtentation of the Poor in the ſaid Hospitals, as by the ſaid Letters Patents more plainly appeareth: And whereas alſo our late Sovereign Lord King *Henry* the Eighth, by his Letters Patents dated the Thirteenth of *January* in the Thirty eighth Year of his Reign, did found an Hospital in *Weſt Smithfield* called *Little St. Bartholomew's*, near *London*: And whereas divers well diſpoſed and charitable Perſons have given Lands, Tenements and Hereditaments to the Relief and Suſtentation of the Poor, not only in the ſaid Hospitals, but alſo in other Hospitals; and as it is hoped many more hereafter will likewiſe charitably give, and where many of ſuch Gifts and Affurances have been and are likely to be made by the laſt Wills of the Givers thereof, at which Time for Want of Counſel or other Opportunities, it may happen that the right Name of the ſaid Corporation hath not or ſhall not be truly named or expreſſed, whereby may grow ſome Queſtion of the Validity of ſuch Grants, Gifts or Devices: Be it therefore enacted by the Queen's moſt excellent Maſteſty, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Gifts, Grants, Legacies, Deviſes and Affurances made or to be made of any Lands, Tenements and Hereditaments, by Will, Feoffments or otherwiſe, to the Uſe or for the Relief of the Poor in any Hospital now remaining and being *in eſſe*, and employed to the Relief or Maintenance of the Poor in the ſaid Hospitals, or any of them, ſhall be as good and available in Law, according to the true Meaning of any ſuch Donor, Grantor, Teſtator, Deviſor or Aſſurer, as if the ſaid Corporation had been or were in the Writings or Deeds of ſuch Gifts, Grants, Deviſe or Affurance, or in ſuch laſt Will or Teſtament, rightly or truly named; any ſuch miſnaming, miſreciting, or not true naming or reciting of the ſaid Corporation to the contrary notwithstanding: Saving to all and every Perſon and Perſons, Bodies Politick and Corporate, their Heirs and Succeſſors, other than ſuch Donor, Grantor, Teſtator, Deviſor and Aſſurer, their Heirs and Succeſſors, all ſuch Right, Title and Intereſt, as they or any of them have or ſhall have in or to any Lands, Tenements or Hereditaments ſo given, granted, deviſed or aſſured, as if this Act had never been had

Letters Patents,
26th June, 7 E. 6.

Letters Patents,
13th Jan. 38 H. 8.

Miſnaming of
Corporations in
Wills, &c.

Saving.

13 Eliz. c. 10.
§ 2

had nor made. And where in the last Parliament holden at *Westminster* it was provided and enacted, among other Things, That from henceforth all Leases, Gifts, Grants, Feoffments, Conveyances or Estates, to be had, made or suffered by any Master and Fellows of any College, Dean and Chapter of any Cathedral Church, Master or Guardian of any Hospital, Parson, Vicar or any other having any Spiritual Living of any House, Lands, Tenements or Hereditaments, Parcel of the Possession of any such College, Cathedral Church, Hospital, Parsonage, Vicarage or other Spiritual Promotion, or pertaining to the same, or any of them, to any Person or Persons, Bodies Politick or Corporate, other than for Term of One and twenty Years, or Three Lives, in Manner and Form as is mentioned in the said Act, should be utterly void and of none Effect; Be it enacted and declared by the Authority of this present Parliament, That these Words (Master or Guardian) of any Hospital mentioned in the said former Act, were intended and meant of all Hospitals, *Maison Dieu*, Bead-houses, and other Houses ordained for the Sustentation or Relief of the Poor, and so shall be expounded, declared and taken for ever.

explained.

Anno decimo octavo Regina ELIZABETHÆ.
(A.D. 1576.)

STATUTES made in the Parliament by Prorogation holden at Westminster the Eigheb Day of February in the Eighteenth Year of the Reign of our most gracious and excellent Sovereign Lady ELIZABETH, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. and there continued until the Fifteenth Day of March then next following; viz.

C A P. I.

An Act against the diminishing and impairing of the Queen's Majesty's Coin, and other Coins lawfully current within this Realm.

5 Eliz. c. 11. § 2.

WHEREAS the Offences of Clipping, Rounding, Washing and Filing, for wicked Lucre or Gains-sake, of any the proper Monies or Coins of this Realm or the Dominions thereof, or of the Monies or Coins of any other Realm allowed by Proclamation, and suffered to be current within this Realm or the Dominions thereof, by a Statute made in the Fifth Year of the Queen's Majesty's Reign, are taken, deemed and adjudged to be Treason; and the Offenders therein, their Counsellors, Counsellors and Aiders, likewise deemed and adjudged as Offenders in Treason, and being thereof lawfully convicted or attainted, according to the due Order and Course of the Laws of this Realm, are to suffer Pains of Death, and to lose and forfeit all his and their Goods and Chattels, and also all his and their Lands

Lands and Tenements, during his and their natural Life or Lives
 only, as by the said Estatute thereof made, among other Things
 therein contained, more at large it doth and may appear :
 Sithence the making of which good Law and Statute divers
 false and evil disposed Persons, knowing that the said Law
 being, as it is, penal, ought to be taken and expounded strictly
 according to the Words thereof, and the like Offences, not by
 any Equity to receive the like Punishment or Pains, have sithence
 the making of the said Law and Statute most wickedly devised
 and practised, for wicked Lucre and Gains-sake, other Arts,
 undue Ways and Means, to falsify, impair, diminish and lighten,
 as well the proper Monies and Coins of this Realm and the
 Dominions thereof, as also the Monies or Coins of other Realms
 allowed and suffered to be current within this Realm and the
 Dominions thereof by her Majesty's Proclamation, to the great
 Damage, Loss, Hurt and Deceit, as well of her Majesty, as of
 all her faithful and loving Subjects, and more is like hereafter
 to be practised and done, if the same be not speedily met withal :
 For Reformation and Remedy whereof, Be it enacted, declared
 and established by the Authority of this present Parliament, That
 if any Person or Persons, of what Estate, Degree or Condition
 soever he or they be, shall from and after the First Day of *April*
 next coming, for wicked Lucre or Gains-sake, by any Art, Ways
 or Means whatsoever, impair, diminish, falsify, scale or lighten the
 proper Monies or Coins of this Realm, or any the Dominions
 thereof, or the Monies or Coins of any other Realms allowed and
 suffered to be current at the Time of the Offence committed
 within this Realm of *England* or any the Dominions of the same,
 by the Proclamation of the Queen's Majesty, her Heirs or
 Successors, shall be taken, adjudged and deemed to be Treason ;
 and the Offenders therein, their Counsellors, Consenters and
 Aiders, shall be likewise deemed and adjudged as Offenders in
 Treason, and being thereof lawfully convicted or attainted,
 according to the due Order of the Laws of this Realm, shall
 suffer Pains of Death, and lose and forfeit all their Goods and
 Chattels to the Queen's Majesty, her Heirs and Successors, and
 shall also lose and forfeit to the Queen's Highness, her Heirs and
 Successors, all their Lands, Tenements and Hereditaments, dur-
 ing his or their natural Life or Lives only.

Diminishing, &c.
 any Coin current
 within the Realm,

Treason.

II. Provided always, and be it enacted by the Authority afore-
 said, That this Act, nor any Thing therein contained, nor any
 Attainder or Attainders of any Person or Persons for any Offence
 or Offences made Treason by this Act, shall in any wise extend,
 or be judged, interpreted or expounded to make any Corruption
 of Blood to any the Heir or Heirs of any such Offender or
 Offenders, or to make the Wife of any such Offender to lose or
 forfeit her Dower of or in any Lands, Tenements or Heredita-
 ments, or her Title, Action or Interest to the same ; any Thing
 in this Act contained, or any Attainder or Attainders hereafter
 to be had, for any Offence or Offences made Treason by this Act,
 to the contrary notwithstanding.

No Corruption
 of Blood, &c.

III. And be it further enacted, by the Authority aforesaid,
 That if any of the Lords of the Parliament, or Peer of this
 Realm, for the Time being, shall fortune at any Time hereafter to be

Trial of Peers.

be indicted of any Offence made Treason by this Act, that then they and every of them shall have his or their Trial by their Peers, as hath been used heretofore in Cases of High Treason.

C A P. II.

An Act for Confirmation as well of all Grants made to the Queen's Majesty, as of Letters Patents made by her Majesty to others.

Confirmation of Assurance made of any Lands to the Queen.

General Saving.

Letters Patent, &c.

• **W**HERE sithence the Eighteenth Day of *November*, in the First Year of the Queen's Majesty's Reign, divers and sundry Honours, Castles, Manors, Lands, Tenements, Rents, Reversions, Services and other Hereditaments have been conveyed and assured to her Highness, her Heirs and Successors, by or from divers and sundry Persons and Bodies Politick, as well for the Discharge and Satisfaction of great Debts and Sums of Money, as for other good Considerations; for the perfect Assurance, Confirmation and further Surety whereof, Be it enacted by the Authority of this present Parliament, That all Feoffments, Fines, Surrenders, Assurances, Conveyances and Estates in any wife conveyed, had or made, or to be had or made at any Time during the Space of Seven Years next after the End of this present Session of Parliament, to or for our said Sovereign Lady the Queen's Majesty, by or from any Person or Persons, Bodies Politick or Corporate, of any Honours, Castles, Manors, Lands, Tenements, Rents, Reversions, Services and other Hereditaments, for any Debt, Sum or Sums of Money, or other Consideration whatsoever, shall stand, remain and be good and available in the Law, to all Intents, Constructions and Purposes, according to the true Meaning, Intent and Purport of the same: Saving to all and every Person and Persons, and to their Heirs, Bodies Politick and Corporate, and to their Successors, and every of them (other than such Person or Persons, and their Heirs and Wives, being Parties or Privies to such Conveyances or Assurances, and every of them, Bodies Politick or Corporate, and their Successors, and every of them, of or from whom the Queen's Highness hath had, obtained or purchased, or shall obtain or purchase, during the Space of Seven Years, any Manors, Messuages, Lands, Tenements, Rents, Reversions, Services or Hereditaments, by Exchange, Gift, Bargain, Fine, Feoffment, Recovery, Deed enrolled or otherwise) all such Right, Title, Interest, Use, Possession, Rents, Reversions, Remainders, Offices, Fees, Commons, Profits and Commodities whatsoever, which they or any of them have, might or ought to have had, of, in or to the Premises, or any Part thereof, in as large and ample Manner, Form and Condition, to all Intents, Constructions and Purposes, as if this Act had never been had ne made; this present Act or any Thing therein contained to the contrary notwithstanding.

• II. And where our said Sovereign Lady the Queen's Highness, sithence the said Eighteenth Day of *November*, in the First Year of her Majesty's Reign, as well for divers and great Sums of Money, as also for divers and sundry other Considerations, hath bargained, sold, given and granted, by her Grace's sundry Letters Patents, Indentures or other Writings, sealed under
the

the Great Seal of *England*, or the Seal of the Duchy of *Lancaster*, or the Seal of the County Palatine of *Lancaster*, as well to Bodies Politick and Corporate, as to divers and sundry other her loving and obedient Subjects, divers and sundry Honours, Manors, Lands, Tenements, Rents, Reversions, Services and other Hereditaments, in Fee Simple, Fee Tail, or for Term of Life, Lives or Years, as in the same several Letters Patents, Indentures and other Writings is mentioned and declared :

III. And to the Intent the same Letters Patents, Indentures and other Writings should be good, available and of perfect Force and Effect to all and every her Highness loving Subjects, according to the true Meaning and Effect of the same ; Be it enacted and established by Authority of this present Parliament, That as well all and singular Letters Patents, Indentures and other Writings sealed under the Great Seal of *England*, or under the Seal of the Duchy of *Lancaster*, or the Seal of the County Palatine of *Lancaster*, and heretofore made or granted by our said Sovereign Lady the Queen, for any Sums of Money, or for and upon any other Consideration, as all other Letters Patents hereafter to be made by our said Sovereign Lady the Queen, for any Sum or Sums of Money, or other Considerations, during the said Space of Seven Years next ensuing the making of this Act, to any Body Politick or Corporate, or to any other Person or Persons whatsoever, of any Honours, Castles, Manors, Lordships, Granges, Meses, Lands, Tenements, Meadows, Pastures, Rents, Reversions, Services, Woods, Advowsons, Nominations, Patronages, Annuities, Rights, Interests, Entries, Conditions, Leets, Courts, Liberties, Privileges, Franchises, or of any other Hereditaments, with their Appurtenances, or of any other Part or Parcel of them, sealed with or under the Great Seal of *England*, or under the Seal of the Duchy of *Lancaster*, or of the Seal of the County Palatine of *Lancaster*, of whatsoever Kind, Nature or Quality they or any of them be, or shall be reputed, known or taken, with their Appurtenances, or any Part or Parcel of them, shall be good, perfect and effectual in the Law, and shall stand, be taken, reputed, deemed and adjudged good, perfect, sure, available and effectual in the Law, against the Queen's Majesty, her Heirs and Successors, according to the Tenor and Effect of the said Letters Patents, the same to be expounded, construed, deemed and adjudged most beneficially for the Patentees and Grantees of the same, and their Assignees, according unto the Words and Purport of every the said Letters Patents, without any Confirmation, Licence or Toleration of the Queen, her Heirs or Successors ; any Misnaming, Misrecital or Nonrecital of any the same Honours, Castles, Manors, Lands, Tenements and other the Premises, or of any Parcel thereof ; or any Lack of finding of Offices or Inquisitions, of and in the Premises, or any Part thereof, whereby the Title of the Queen's Highness therein ought to have been found, before the making of the same Letters Patents or other Writings ; or any Misrecital or Nonrecital of Leases thereof before made, as well of Record as not of Record ; or any Lack of the Certainty, Miscasting, rating or setting forth of the yearly Value and Rate of the Premises, or of the yearly Rents reserved of and for the Premises, or any Parcel thereof mentioned or contained in any of the said Letters Patents or other Writings ; or for that the Premises

Confirmation of the Letters Patents of the Queen.

Saving for Defects in Letters Patents.

be, or any Part thereof is valued to a more or less Value in the said Letters Patents or Writings, than the said Manors, Lands, Tenements, and other the Premises then were or shall be, in yearly Value; or any misnaming or not true naming of the Towns, Hamlets, Parishes or Counties where the same Honours, Manors, Lands, Tenements, Hereditaments and other the Premises, and every Parcel thereof; or any Parcel thereof, lien or been; or any Lack of the true naming of the Lands, Tenements or Hereditaments, or of the Natures, Kinds, Sorts, Qualities or Quantities of the said Possessions or Hereditaments, or any Parcel thereof; or any Lack of the true naming of the Corporation; or any Lack of the Attornment, Livery or Seisin; or any misnaming of any the late Tenants or Farmers of the same Honours, Manors, Lands, Tenements and Hereditaments, or any Part thereof so sold, granted or given, notwithstanding.

Patents of
Offices.

IV. Provided, That this Act, nor any Thing therein contained, shall not extend to make any Letters Patents of any Office or Offices, to be of any other Effect, Force or Strength, than the same Letters Patents were or should have been before the making of this Act.

Satisfaction to
the Queen for
Overplus of Value of Lands by
her granted,

V. Provided also, That all and singular such Patentees, Grantees and Donees, and every of them, which at any Time heretofore sithence the said Eighteenth Day of *November* have obtained and gotten of our said Sovereign Lady the Queen, or at any Time hereafter during the said Space of Seven Years, shall obtain and get of our said Sovereign Lady the Queen's Majesty that now is, by Way of Exchange, or for any Sum or Sums of Money, or other Considerations, any Letters Patents of any Manors, Lands, Tenements or Hereditaments whatsoever, which at the Date and making any of the same Letters Patents so made, sithence the said Eighteenth Day of *November*, or hereafter to be made, during the said Space of Seven Years as is aforesaid, were or shall be at the Time of the making of such Letters Patents of better and more yearly Value to the Queen's Highness, and so answered in yearly Rent and Farm, then was, is or shall be contained, mentioned and specified in any such Letters Patents, or in the Particulars or Rate thereof made or to be made by any Auditor or Auditors, Surveyor or Surveyors, or other Officer; that then every such Patentee, Grantee or Donee, their Heirs, Executors or Assigns, and every of them, within One Year next after Office, or other due Proof, Order and Decree thereof made and had, or to be made and had within the Space and Term of Ten Years next after the End of this present Session of Parliament in the Court of the Exchequer, shall content and pay unto the Queen's Majesty, her Heirs and Successors, for the same Overplus and more Value of the same Manors, Lands, Tenements and other Hereditaments whatsoever, with their Appurtenances, so sold, given, granted or exchanged as is aforesaid, after the Rate of Threescore Years Purchase, and according to such yearly Value and Rate as the same Manors, Lands, Tenements and other Hereditaments whatsoever were and answered at the Time of the making of any such Letters Patents so made or to be made, in Manner and Form aforesaid; any Thing contained in such Letters Patents to the contrary in any wise notwithstanding.

Sixty Years'
Purchase.

VI. Provided also, That this Act, or any Proviso therein contained, shall not in any wise extend to confirm, ratify or make good any Lease or Leases made or to be made by our Sovereign Lady the Queen, for Term of Life, Lives, or for Years, whereupon the old and accustomed Rents or more be not, or hereafter shall not be reserved and yearly payable during the Time and Term of every such Lease; nor that this present Act shall in any wise extend to revive or make good any Letters Patents made of any Office or Offices to any Comptroller, Customor, Aulneger, Searcher, nor to any Letters Patents of the Grant of any other Office or Offices heretofore granted or made by the Queen's Majesty which now be, or at any Time heretofore have been annihiliated, determined or made void by Judgment, by Authority of Parliament, or by Decree; nor to any Patents to be made to any Person or Persons for Term of Years, or during the Minority of any Heir, of any Manors, Lands or Tenements, whereof any Traveller hereafter shall be tendred within Three Months after any Office found and certified into any the Queen's Majesty's Courts of Record; ne to make good any Letters Patents made by our Sovereign Lady, of any Office or Offices to be of any other Effect, Force or Strength, than the same Letters Patents were or should have been before the making of this Act.

Proviso for certain Patents and Grants.

VII. Provided also, That this Act, or any Thing therein contained, shall not extend to any Letters Patents which at any Time heretofore sithence the Beginning of the Queen's Majesty's Reign, have been or hereafter shall be made by the Queen's Highness to any Person or Persons, of any Manors, Lands, Tenements, Rents, Reversions, Services or other Hereditaments, by force of any Information, Suit or Suggestion made or to be made to her Highness, that the same Manors, Lands, Tenements and other Hereditaments, so contained in any such Letters Patents, were concealed Lands; but that the same Letters Patents, and every of them, shall stand, remain and be in the same Force, Strength and Effect as they were before the making of this Act; any Thing in this Act mentioned to the contrary notwithstanding: Saving to all and every other Person or Persons, and Bodies Politick and Corporate, their Heirs and Successors, and every of them, all such Rights, Title, Interest, Possession, Estate, Leases, Rents, Services, Commons, and all other Profits and Commodities whatsoever, as they or any of them should or might have had before the Letters Patents thereof made, if this Act had never been had ne made; any Thing therein contained to the contrary notwithstanding.

Patents of concealed Lands.

General Saving.

[See 35 Eliz. c. 3. 43 Eliz. c. 1.]

C A P. III.

An Act for the setting of the Poor on Work, and for the avoiding of Idleness.

FOR some better Explanation, and for some needful Addition to the Statute concerning the Punishment of Vagabonds; and Relief of the Poor, made in the Session of Parliament holden the Fourteenth Year of the Queen's Majesty's Reign; Be it ordained, declared and enacted by Authority of this present Parliament, in Manner and Form following, that is to say: First, concerning Bastards begotten and born out of lawful Matrimony (an Offence

14 Eliz. c. 5.

A Provision for
the Keeping of
Bastards.

against God's Law and Man's Law), the said Bastards being now left to be kept at the Charges of the Parish where they be born, to the great Burden of the same Parish, and in defrauding of the Relief of the impotent and aged true Poor of the same Parish, and to the evil Example and Encouragement of lewd Life; it is ordained and enacted by the Authority aforesaid, That Two Justices of the Peace (whereof one to be of the *Quorum*, in or next unto the Limits where the Parish Church is, within which Parish such Bastard shall be born, (upon Examination of the Cause and Circumstance) shall and may by their Discretion take Order, as well for the Punishment of the Mother and reputed Father of such Bastard Child, as also for the better Relief of every such Parish in Part or in all; and shall and may likewise, by like Discretion, take Order for the Keeping of every such Bastard Child, by charging such Mother or reputed Father with the Payment of Money weekly, or other Sustentation for the Relief of such Child, in such wise as they shall think meet and convenient: And if after the same Order by them subscribed under their Hands, any the said Persons, *viz.* Mother or reputed Father, upon Notice thereof, shall not for their Part observe and perform the said Order, that then every such Party so making Default in not performing of the said Order, to be committed to Ward to the Common Gaol, there to remain without Bail or Mainprise, except he, she or they shall put in sufficient Surety to perform the said Order, or else personally to appear at the next General Sessions of the Peace to be holden in that County where such Order shall be taken, and also to abide such Order as the said Justices of the Peace, or the more Part of them, then and there shall take in that Behalf (if they then and there shall take any), and that if at the said Sessions the said Justices shall take no other Order, then to abide and perform the Order before made as is aforesaid.

Imprisonment.

[This Section continued until the End of the First Session of the next Parliament, 3 Car. 1. c. 4. § 15. 22. and further continued, 16 Car. 1. c. 4. and see 6 G. 2. c. 31. The Rest of the Act is expired.]

C A P. IV.

An Act for the avoiding of Frauds in certain Conveyances and Assurances made by the late Rebels in the North.

C A P. V.

An Act to redress Disorders in common Informers upon Penal Laws.

Duty of Inform-
mer.

FOR redressing of divers Disorders in common Informers, and for better Execution of penal Laws, be it enacted, That every Informer upon any penal Statute shall exhibit his Suit in proper Person, and pursue the same only by himself or by his Attorney in Court; and that none shall be admitted or received to pursue against any Person or Persons upon any penal Statute, but by way of Information or original Action and not otherwise, nor shall have ne use any Deputy or Deputies at all; and that upon every such Information which shall be exhibited, a special Note be made of the very Day, Month and Year of the exhibiting thereof into any Office or to any Officer which lawfully may receive the same, without any manner of Antedate thereof to be made, and that

that the same Information be accounted and taken to be of Record from that Time forward and not before. And be it likewise enacted for the Consideration aforesaid, that no Process be sued out upon any such Information, until the Information be exhibited in Form aforesaid, and that upon every such Process shall be indorsed, as well the Party's Name that pursueth the same Process, as also the Statute upon which the Information in that Behalf made is grounded; and that every Clerk making out Process contrary to the Tenor and Provision of this Act, shall forfeit and lose Forty Shillings for every such Offence, the One Half to be to the Queen's Majesty, her Heirs and Successors, and the other Half to the Party against whom any such defective Process shall be awarded, to be recovered in any Court of Record, by Action of Debt or Information, in which no Essoign, Protection, Injunction or Wager of Law shall be permitted or allowed.

Process.

Penalty.

II. And be it further enacted, That no Jury shall be compelled to appear in any of the Queen's Majesty's Courts of *Westminster*, for the Trial of any Issue in any such Suit upon any penal Law, for any such Offence committed above Thirty Miles from the City of *Westminster*, except in case where the Attorney General for the Time being, for some reasonable Cause in that Behalf to be shewed, shall require the same to be tried at the Bar, in any of the Courts of the Queen's Majesty, her Heirs or Successors, at *Westminster* aforesaid, which Request shall be noted on the Backside of the Writ of *Distringas* thereupon awarded, to the End the Sheriff or his Bailiff may and shall signify the same to the Jury that are in such Case impanelled.

Where Trial of Issue shall be in a Suit upon a penal Statute.

III. And be it further enacted, That no such Informer or Plaintiff shall or may compound or agree with any Person or Persons that shall offend, or shall be surmised to offend, against any penal Statute for such Offence committed or pretended to be committed, but after Answer made in Court unto the Information or Suit in that Behalf exhibited or prosecuted, nor after Answer, but by the Order or Consent of the Court in which the same Information or Suit shall be depending; upon the Pains and Penalties hereafter in this present Act set down and declared; and that if any such Informer or Plaintiff as aforesaid shall willingly delay his Suit, or shall discontinue or be nonsuit in the same, or shall have the Trial or Matter past against him therein by Verdict or Judgment of Law, that then in every such Case the same Informer or Plaintiff shall yield, satisfy and pay unto the Party Defendant, his Costs, Charges and Damages, to be assigned by the Court in which the same Suit shall be attempted; for the Recovery and Execution whereof every such Defendant shall immediately upon the same Costs, Charges and Damages assigned, have his *Capias ad satisfaciendum*. *Fieri facias* or *Elegit*, to be awarded unto him out of the same Court in which the same shall be so assigned as is aforesaid, as in other Cases of Execution.

Where only Informer may compound.

Informer delaying, &c.

IV. And be it also enacted, That if any Person or Persons (except the Clerks of the Court only, for making out of Process otherwise than is above appointed) shall offend in suing out of Process, making of Composition or other Misdemeanor, contrary to the true Intent and Meaning of this Statute, or shall by Colour or Pretence of Process, or without Process, upon Colour or Pretence of any Matter of Offence against any penal Law, make any

Informer misbehaving in Prosecution of Suit, &c.

Pillory.

Penalty.

What Justices
may determine
Offences.Maintenance,
Champerty, &c.Penalties how
given.Proviso for Offi-
cers using to ex-
hibit Informa-
tion.

Composition, or take any Money, Reward or Promise of Reward for himself, or to the Use of any other, without Order or Consent of some of her Majesty's Courts at *Westminster*, that then he or they so offending being thereof lawfully convicted, shall stand on the Pillory in some Market Town next adjoining where the same Offence shall be committed, in the open Market Time, and there remain by the Space of Two Hours; and shall from and after such Conviction for ever be disabled to pursue, or be Plaintiff or Informer in, any Suit or Information upon any Statute popular or penal; and shall also for every such Offence forfeit and lose Ten Pounds of lawful *English* Money, the One Half thereof to the Queen's Majesty, her Heirs and Successors, and the other Half to the Party grieved thereby, to be recovered in any Court of Record, by Action of Debt or Information, in which no Escoin, Protection, Injunction or Wager of Law shall be permitted or allowed; and that Justices of *Oyer and Terminer*, Justices of Assize in their Circuits, and Justices of Peace in their Quarter-Sessions, shall have full Power and Authority to hear and determine all Offences to be committed or done contrary to the true Intent and Meaning of this present Act.

V. Provided always, and nevertheless be it enacted, That it shall and may be lawful to and for any Person or Persons grieved by Means of any Manner of Maintenance, Champerty, Buying of Titles or Imbracery, to pursue upon any the Statutes provided and set forth against Maintenance, Champerty, Buying of Titles or Imbracery, as he or they might have done before the making of this Act; any Thing in this Act contained to the contrary in any wise notwithstanding.

VI. Provided also, That this Act shall not extend to any Suit already depending, nor shall restrain any certain Person, Body Politick or Corporate, to whom or to whose Use any Forfeiture, Penalty or Suit is or shall be specially limited or granted by virtue of any Statute, and not generally to any Person that will sue; but that every such certain Person, Body Politick or Corporate, which might sue or inform, as if this Act were not made, may in such Case sue, inform and pursue, as he or they might have done if this Act were never had nor made.

VII. And provided also, That neither this Act, nor any Thing therein contained, shall in any wise extend to any such Officers of Record, as have in respect of their Offices heretofore lawfully used to exhibit Informations or sue upon penal Laws, nor to any Officers informing or pursuing for Matters only concerning his or their Offices, but that they and every of them may inform and pursue in that Behalf, as they might have done before the making of this Act; any Thing in this Act contained to the contrary in any wise notwithstanding.

VIII. This Act to take Force and Effect from the Feast of *Easter* next coming, and from thenceforth to endure unto the End of the First Session of the next Parliament.

[Made perpetual, 27 Eliz. c.10.]

C A P. VI.

An Act for the Maintenance of the Colleges in the Universities, and of *Winchester* and *Eaton*.

[*This is Cap. 21. on the Roll.*]

FOR the better Maintenance of Learning, and the better Relief of Scholars in the Universities of *Cambridge* and *Oxford*, and the Colleges of *Winchester* and *Eaton*: Be it enacted by the Queen's Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That no Master, Provost, President, Warden, Dean, Governor, Rector or Chief Ruler of any College, Cathedral Church, Hall or House of Learning in any of the Universities aforesaid, nor any Provost, Warden or other Head Officer of the said Colleges of *Winchester* or *Eaton*, nor the Corporation of any of the same, by what Title, Stile or Name soever they now be, shall or may be called, after the End of this present Session of Parliament, shall make any Lease for Life, Lives or Years, of any Farm, or any their Lands, Tenements or other Hereditaments to the which any Tithes, Arable Land, Meadow or Pasture doth or shall appertain, except that the One Third Part at the least of the old Rent be reserved and paid in Corn for the said Colleges, Cathedral Church, Halls and Houses; that is to say, in good Wheat, after Six Shillings and Eight pence the Quarter or under, and good Malt at Five Shillings the Quarter or under, to be delivered yearly upon Days prefixed, at the said Colleges, Cathedral Church, Halls or Houses; and for Default thereof, to pay to the said Colleges, Cathedral Church, Halls or Houses, in ready Money, at the Election of the said Lessees, their Executors, Administrators or Assigns, after the Rate of the best Wheat and Malt in the Market of *Cambridge*, for the Rents that are to be paid to the Use of the House or Houses there; and in the Market of *Oxford*, for the Rents that are to be paid to the Use of the House or Houses there; and in the Market of *Winchester*, for the Rents that are to be paid to the Use of the House or Houses there; and in the Market of *Windsor*, for the Rents that are to be paid to the Use of the House or Houses at *Eaton*; is or shall be sold the next Market Day before the said Rent shall be due, without Fraud or Deceit; and that all Leases otherwise hereafter to be made, and all collateral Bonds or Assurance to the contrary, by any of the said Corporations, shall be void in Law to all Intents and Purposes: the same Wheat, Malt, or the Money coming of the same, to be expended to the Use of the Relief of the Commons and Diet of the said Colleges, Cathedral Church, Halls and Houses only, and by no Fraud or Colour let or sold away from the Profit of the said Colleges, Cathedral Church, Halls and Houses, and the Fellows and Scholars in the same, and the Use aforesaid, upon Pain of Deprivation of the Governor and Chief Rulers of the said Colleges, Cathedral Church, Halls and Houses, and all other thereunto consenting.

Upon College Leases, a Third Part of the Rent shall be reserved in Corn.

II. Provided always, That this Act, or any Thing therein contained, shall not extend or be in any wise prejudicial to any Lease to be made of a Barn called *Mouncken Barn*, with a certain Portion of Tithes, rising, growing and being in the Parish of *Southweek*, in the County of *Suffex*, being Parcel of the Possessions

Mouncken Barn in *Suffex*.

of *Maudlin College* in *Oxford*, so that the Term demised in and by the said Lease exceed not the Number of Ten Years from and after the Feast of *St. Michael*, the Archangel next coming; any Thing therein specified to the contrary notwithstanding.

Fisfield demised
to White.

III. Provided also, That this Act shall not extend to any Lease to be made by the President and Scholars of the College of *St. John Baptist* in *Oxford*, to any Heir Male of *Sir Thomas White*, late Knight and Alderman of *London*, Founder of the said College; which Lease shall be made according to the Meaning of the Foundation and Statutes of the said College, of the Manor of *Fisfield*, and no other Hereditaments.

C A P. VII.

An Act to take away Clergy from the Offenders in Rape and Burglary; and an Order for the Delivery of Clerks convict without Purgation.

Where Clergy
denied.

FOR the repressing of the most wicked and felonious Rapes or Ravishments of Women, Maids, Wives and Damfels, and of felonious Burglaries, and for the avoiding of sundry Perjuries and other Abuses in and about the Purgation of Clerks convict delivered to the Ordinaries, Be it enacted and ordained by the Authority of this present Parliament, That if any Person or Persons shall fortune at any Time after the First Day of *June* now next ensuing, to commit or do any manner of felonious Rape, Ravishment or Burglary, and to be found guilty by Verdict, of any such felonious Rape or Burglary, or that any Person or Persons shall fortune to be outlawed for any the Offences aforesaid, or upon his or their Arraignment shall confess any such felonious Rape or Burglary; that in every such Case, every Person and Persons so being found guilty, outlawed or confessing any of the said felonious Rapes or Burglaries, shall suffer Pains of Death, and forfeit as in Cases of Felony hath been used and accustomed by the Common Laws of this Realm, without any Allowance of the Privilege or Benefit of Clergy; any Law, Custom or Usage heretofore had, made or used to the contrary notwithstanding.

Persons allowed
Clergy shall be
delivered.

II. And moreover, be it further enacted by the Authority aforesaid, That every Person and Persons, which at any Time after the End of this present Session of Parliament shall be admitted and allowed to have the Benefit or Privilege of his or their Clergy, shall not thereupon be delivered to the Ordinary as hath been accustomed; but after such Clergy allowed, and burning in the Hand, according to the Statute in that Behalf provided, shall forthwith be enlarged and delivered out of Prison by the Justices before whom such Clergy shall be granted, that Cause notwithstanding.

Justices may re-
tain Offenders in
Prison.

III. Provided nevertheless, and be it also enacted by the Authority aforesaid, That the Justices before whom any such Allowance of Clergy shall be had, shall and may for the further Correction of such Persons to whom such Clergy shall be allowed, detain and keep them in Prison for such convenient Time as the same Justices in their Discretions shall think convenient, so as the same do not exceed One Year's Imprisonment; any Law or Usage heretofore had or used to the contrary in any wise notwithstanding.

IV. And for plain Declaration of Law, be it enacted, That if any Person shall unlawfully and carnally know and abuse any Woman Child under the Age of Ten Years, every such unlawful and carnal Knowledge shall be Felony, and the Offender thereof being duly convicted shall suffer as a Felon without Allowance of Clergy.

Knowing a Woman Child carnally.

V. Provided always, That all and every Person and Persons which shall hereafter be admitted to have the Benefit of his or their Clergy, shall, notwithstanding his or their Admission to the same, be put to answer to all other Felonies whereof he or they shall be hereafter indicted or appealed, and not being thereof before acquitted, convicted, attainted or pardoned, and shall in such Manner and Form be arraigned, tried, adjudged and suffer such Execution for the same, as he or they should have done, if, as Clerk or Clerks convicted, they had been delivered to the Ordinary, and there had made his or their Purgations; any Thing in this Act contained to the contrary notwithstanding.

Persons allowed Clergy shall answer to other Felonies.

C A P. VIII.

An Act for the appointing and authorizing of Justices of Assizes in the Shires of *Wales*.

WHEREAS by divers laudable Statutes, Usages and Laws of this Realm, for the good Government and Administration of Justice within the Principality and Dominion of *Wales*, and the County Palatine of *Chester*, it hath been established, used and enacted, among other Things, That there shall be holden and kept Sessions Twice in every Year in every of the Shires in the said Dominion and Principality of *Wales*; that is to say, in the Shires of *Glamorgan*, *Brecknock*, *Radnor*, *Caermarthen*, *Pembroke*, the Town and County of *Haverfordwest*, *Cardigan*, *Montgomery*, *Denbigh*, *Flint*, *Caernarvon*, *Merioneth* and *Anglesey*, and in the said County Palatine of *Chester*; the which Sessions are called the King's Great Sessions; and that the Justice of *Chester* for the Time being, shall hold and keep Sessions Twice in every Year in the Shires of *Chester*, *Denbigh*, *Flint* and *Montgomery*; and likewise that the Justice of *North Wales* shall hold and keep Sessions Twice every Year in every of the said Shires of *Caernarvon*, *Merioneth* and *Anglesey*; and that also one Person learned in the Laws of this Realm of *England*, by the Queen's Majesty to be appointed, shall be Justice of the Shires of *Radnor*, *Brecknock* and *Glamorgan*, and shall in likewise hold and keep Sessions Twice in every Year in every of the same Shires; and that one other Person learned in the Laws of this Realm, to be appointed as is aforesaid, shall be Justice of the Shires of *Caermarthen*, *Pembroke* and *Cardigan*, and the Town and County of *Haverfordwest*, and shall likewise hold and keep Sessions Twice in every Year in every of the said Shires; and that the said Persons or Justices, and every of them then being, or that thereafter should be, should have several Letters Patents and Commissions for their Offices under the Great Seal of *England*, to be exercised by themselves or their sufficient Deputies, according to the Purport and Intents in the Ordinances specified:

27 H. 8. c. 26.
34 & 35 H. 8.
c. 26. § 5—10.

II. Forasmuch

‘ II. Forasmuch as by the good Administration of Justice within the said Shires and Counties, the same Principality and Dominion of *Wales*, and the said County Palatine of *Chester*, are reduced to great Obedience of her Majesty’s Laws, and the same greatly inhabited, manured and peopled, and for that all and all manner of Causes, Pleas, Actions, as well Real, Personal and Mixt, as Treasons, Pleas of the Crown, Attaints, Conspiracies, Assises, *Quare impedit*, Appeals of Murder, Maims and Felony, and Trial upon all Murders, Manslaughters and Felonies whatsoever arising within the said several Circuits, are by the said Laws, Usages and Statutes implendable, impleaded and determinable before One only Justice as is aforesaid; and for that many great and weighty Causes, Matters, Questions, Demurrers and Ambiguities in Law do thereupon daily arise, increase and are like daily more and more to increase within the said Shires, to the infinite Trouble of such One Justice within every of the said several Circuits, and to the great Delay and Hindrance of Administration of Justice :

‘ III. For the better and more speedy Remedy whereof, her Majesty’s Subjects of the said Principality and Dominion of *Wales*, and County Palatine of *Chester*, have made their most humble Petition and Suit to her Highness to have Two Justices learned in the Laws in every of the said several Circuits; and forasmuch as some Question, Ambiguity and Doubt hath been heretofore made, whether her Highness by her Letters Patents under the Great Seal of *England* might or may authorise, constitute or appoint Two Persons or more to be her Highness Justices in every of the said several Circuits, or grant Commission or Commissions of Association or Associations to or with every or any such several Justice and Justices, or no; and also whether after such Grant, the Administration of Justice in those Offices and Function done by Two, may be sufficiently rewarded by Law or no; for plain Explanation whereof, and for the better Redress and more speedy Administration of Justice to be had touching the Premises, Be it declared, explained, enacted and established by the Queen’s most Excellent Majesty, by the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the Queen’s Highness, her Heirs and Successors, may and shall at her and their Will and Pleasure have full Power, Prerogative and Authority, from Time to Time, to constitute, authorise, name or appoint Two or more learned as aforesaid, in the Laws of this Realm, to be Justices of and for the said Counties of *Chester*, *Flint*, *Denbigh* and *Montgomery*; and Two or more learned as aforesaid, to be Justices of *North Wales*, viz. of and for the said Shires of *Anglesey*, *Caernarvon* and *Merioneth*, and likewise Two or more learned as aforesaid, to be Justices of and for the said Circuits and Shires of *Radnor*, *Glamorgan* and *Brecknock*; and also Two or more learned as aforesaid, to be Justices of and for the said Circuit and Shires of *Cardigan*, *Caermarthen* and *Pembroke*, and the Town and County of *Haverfordwest*; any Law, Usage, Opinion or Statute to the contrary notwithstanding.

[*Welsh Justices may not have Deputies but for certain Purposes,*

13 G. 3. c. 51. § 3, 4.]

IV. And

The Queen may appoint Two or more Justices for the Great Sessions of *Wales*, &c.

IV. And that her Majesty, her Heirs and Successors, may and shall at her and their good Will and Pleasure from Time to Time, associate and grant Commission and Commissions of Association or Associations under the Great Seal of *England* to any Person or Persons learned as aforesaid, to be associate to or with every or any such several Justice or Justices for the Time being, of the said several Circuits and Counties aforesaid, or in any of the said Counties; and that all and every such Two Justices or more, within every of the said several Circuits and Counties, and also that every such Justice or Justices, together with such Person or Persons associate (if any such Association or Associations shall happen to be as aforesaid) during such Association, and after such Association ended, or without such Association, such Justice or Justices shall have the like full Power, Preheminence, Authority and Jurisdiction from henceforth, to all Intents, Constructions, Purposes and Effects, as any One Justice within any of the said Circuits or Shires aforesaid, now hath, or at any Time heretofore had or ought to have; and also shall have like Power, Authority, Preheminence and Jurisdiction to keep and hold the several Sessions aforesaid Twice in every Year, in every of the said Shires within their several Circuits aforesaid, and to hear, determine, order, award, adjudge, receive, take Knowledge of and execute all and singular Causes, Matters, Pleas of Assizes, Treasons, Murders, Felonies, Indictments, Appeals of Murder, Felony and Maims, Actions reals, personals and mixt, Suits, Plaints, Informations, Quarrels, Attaints, Conspiracies, *Quare impedit*, and all Actions grounded upon any Statute or Statutes, Writs, Processess, Returns, Effoins, Verdicts, Judgments, Fines, Acknowledges, Confessions, Warrants and Executions, Actions and Acts whatsoever, and to do, perform, observe, accomplish and make all and every other Act and Acts, Matter and Matters, Thing and Things whatsoever, in like and in as ample, beneficial, lawful and effectual Manner and Form, to all Constructions, Qualities, Intents and Purposes, as any of the now several Justices, or any One of the now Justice or Justices within the same several Circuit or Circuits, and Counties aforesaid, may, ought, hath or might lawfully do by force of any Law, Usage or Statute heretofore had, made or used before the making of this Act; and that from henceforth all and singular Writs, Processess, Returns, Effoins, Verdicts, Judgments, Fines, Recoveries, Recognizances, Acknowledges, Confessions, Act and Acts, Thing and Things, Matter and Matters as aforesaid, had, made, taken, done, returned, heard, determined, awarded, adjudged or executed by or before any such Two Justices or more, or any such Justice or Justices and Associate or Associates as aforesaid, to be appointed, nominated, authorized or constituted as aforesaid, shall be allowed, taken, construed, expounded and adjudged as good, effectual and available, to all Intents, Constructions and Purposes, as if the same had been had, made, taken, done, returned, heard, determined, awarded, adjudged or executed by or before any such One Justice, or One of the Justices now or late being Justice or Justices of the same Circuit or several Circuits aforesaid; any Law, Usage, Statute, Act, Ordinance or Prescription to the contrary in any wise notwithstanding.

To whom the Queen may grant Commissions of Associations.

Of what Things the Two Justices, or they with the Associates, may hold Sessions.

C A P. IX.

An Act against the transporting of Leather, Tallow and Raw Hides, out of the Realm.

1 Eliz. c. 10.

5 Eliz. c. 8.

1 Eliz. c. 10.
repealed.5 Eliz. c. 8.
revived.Shipping or load-
ing Leather, &c.
for Exportation.

Penalty.

Penalty.

How Master,
&c. may escape
Penalty.

‘ WHERE in the Parliament holden at *Westminster* in the First Year of the Reign of the Queen’s most Excellent Majesty, one Act was made, That the carrying of Leather, Tallow and Raw Hides out of the Realm for Merchandizes, should be Felony, which Act was made to endure but for a certain Time, and afterwards was discontinued, and sithence, *viz.* in the First Session of this present Parliament renewed, to have Continuance for certain Years yet to come; and where also in the Parliament holden in the Fifth Year of her Majesty’s Reign(a), one other Act was made, upon great Advice, Conference and Deliberation concerning Tanners, Curriers, Shoemakers and other Artificers occupying the cutting of Leather, and thereby all former Acts were repealed concerning the same, by which Means it was hoped that the goodness of Leather, and the excess Prices thereof, as also of Tallow, should have been remedied, which notwithstanding daily hath increased, and yet doth; the Cause whereof is, that being shipped for Foreign Parts, or transported out of the Realm, no Forfeiture is given to him or them that will seize or sue for the same:’ For Remedy whereof, Be it enacted by the Queen our Sovereign Lady, and by the Authority of this present Parliament, That the said Act made in the said First Year, and continued in the First Session of this present Parliament, shall be repealed; and that so much of the said Act made in the said Fifth Year, and the Provisoos therein contained, as do or doth concern the transporting of Leather or Hides, shall be continued and duly put in Execution. (a) [*Repealed, 1 Jac. 1. c. 22. which is repealed, 48 G. 3. c. 60. § 1. See Note to 2 & 3 E. 6. c. 9.*]

II. And be it further enacted, That it shall not be lawful for any Person or Persons to lade, ship or carry in any Vessel or Ship, or otherwise, any Leather, Tallow or Raw Hides, of Intent to transport or carry the same into any Place or Places of the Parts beyond the Seas, or into the Realm of *Scotland*, by Land or by Sea, other than *Scottish* Hides, according to the said Proviso in the said Act made in the said Fifth Year(b), upon the Pains and Forfeitures hereafter ensuing; that is to say, upon the Pain of the Forfeiture of the said Leather, Tallow or Raw Hides so laden or transported, and Treble the Value thereof to be forfeited by the Owner or Owners; and also the Owners of the said Ships or Vessels, knowing of such Offence, to forfeit the said Ships or Vessels, with all their Apparel and Furniture to them and every of them belonging; and the Masters and Mariners knowing of such Offence, to forfeit all their Goods and Chattels, and to have Imprisonment by the Space of One Year without Bail or Mainprize; the One Moiety of all which Forfeitures to be to the Queen’s Majesty, her Heirs and Successors, the other Moiety to him or them that will sue for the same, by Action of Debt or Information in any Court of Record, in which Suit no Protection or Wager of Law shall be admitted. (b) [*See Note to Sect. 1.*]

III. Provided always, That if any Owner of any such Ship or Vessel, or any Master or Mariner knowing any such Transportation of

of

of Leather, Tallow or Raw Hides, shall within Three Months next after his Knowledge thereof, or after his Return into this Realm, give good Information *bona fide*, before any of the Barons of the Queen's Majesty's Court of the Exchequer, or before the Lord President or Council in the North, or in the Marches of *Wales*, or before the Head Officer of any Port where he shall first arrive, upon his or their Oath, of the Number and Quantity of Leather, Tallow and Raw Hides so carried, conveyed and transported, and by whom, where and in what Ship or Vessel, and afterwards shall be ready upon reasonable Warning by Process to justify and prove the same for the Queen's Majesty, that then such Owner or Owners, Master, Mariner or Mariners, shall not forfeit his or their Ship, Vessel or Vessels, nor incur the Forfeitures aforesaid; any Thing herein contained to the contrary notwithstanding.

IV. And be it further enacted by the Authority aforesaid, That every Person or Persons whatsoever, that shall ship or carry any Leather, Tallow or Raw Hides, otherwise than by Force of the said Proviso made in the said Fifth Year, into the Parts of beyond the Seas from henceforth, shall pay to the Queen's Majesty, her Heirs and Successors, for every Hide so to be carried, by the Name of Subsidy, the Sum of Ten Shillings; and for every Dozen of Calve Skins Three Shillings Four pence; and for every Hundred Pound Weight of Tallow Six Shillings Eight pence.
[*Made to cease*, 27 G. 3. c. 13. § 1. 43 G. 3. c. 68. § 1. 49 G. 3. c. 98. § 1.]

V. And further, That all Customers, Comptrollers, Farmers and Supervisors of Customs and Subsidy, shall be accountant to the Queen's Majesty, her Heirs and Successors, to pay the said Custom and Subsidy for all such Goods entered and laden, upon the Pains and Penalties contained in the Statute made for false Concealments of Customs and Subsidy in the Third Year of the Reign of King *Henry* the Sixth.

Officers to
account for
Customs.
3 H. 6. c. 3.

C A P. X.

An Act of Addition unto the former Acts, for the amending and repairing of Highways.

2 & 3 P. & M.
c. 8. § Eliz. c. 13.

[*Repealed*, 7 G. 3. c. 42. § 57. 13 G. 3. c. 78. § 84. 13 G. 3. c. 84. § 86.]

C A P. XI.

An Act for the Explanation of the Statutes, intituled, *against the defeating of Dilapidations, and against Leases to be made of Spiritual Promotions, in some respects.*

WHEREAS by a Statute made in a Parliament holden at *Westminster*, the Second Day of *April*, in the Thirteenth Year of the Reign of our most gracious Sovereign Lady, intituled, *An Act against fraudulent Gifts, to the Intent to defeat Dilapidations of Ecclesiastical Livings, and for Leases to be granted by Collegiate Churches*, It was, amongst other Things, enacted by the Authority of Parliament, That from thenceforth all Leases, Gifts, Grants, Feoffments, Conveyances or Estates to be made, had, done or suffered, by any Master and Fellows of any College,

13 Eliz. c. 20.

§ 3.

or

or by any Dean and Chapter of any Cathedral or Collegiate Church, Master or Guardian of any Hospital, Parson, Vicar or any other having any Spiritual or Ecclesiastical Living, or any Houses, Lands, Tithes, Tenements or other Hereditaments, being any Parcel of the Possessions of any such College, Cathedral Church, Chapter, Hospital, Parsonage, Vicarage or other Spiritual Promotion, or any ways appertaining or belonging to the same, or any of them, to any Person or Persons, Bodies Politick or Corporate, other than for the Term of Twenty one Years or Three Lives, from the Time of any such Lease or Grant shall be made or granted, whereupon the accustomed yearly Rent or more shall be reserved and payable yearly during the said Term, shall be utterly void and of none Effect, to all Intents, Constructions and Purposes; any Law, Custom or Usage to the contrary notwithstanding, as in the said Act more plainly appeareth:

II. Sithence the making of which said Estatute, divers of the said Ecclesiastical and Spiritual Persons and others, having Spiritual or Ecclesiastical Livings, have from Time to Time made Leases for the Term of Twenty one Years or Three Lives, long before the Expiration of the former Years, contrary to the true Meaning and Intent of the said Statute: Be it therefore enacted by this present Parliament, That all Leases hereafter to be made by any of the said Ecclesiastical, Spiritual or Collegiate Persons or others, of any their said Ecclesiastical, Spiritual or Collegiate Lands, Tenements or Hereditaments, whereof any former Lease for Years is in being, not to be expired, surrendered or ended within Three Years next after the making of any such new Lease, shall be void, frustrate and of none Effect; any Law, Usage or Custom to the contrary notwithstanding.

Leases by Spiritual Persons.

Bond, &c. for renewing Lease.

III. And be it likewise enacted by the Authority aforesaid, That all and every Bond and Covenant whatsoever hereafter to be made, for renewing or making of any Lease or Leases, contrary to the true Intent of this Act, or of the said Act made in the said Thirteenth Year, shall be utterly void; any Law, Statute, Ordinance or other Thing whatsoever to the contrary in any wise notwithstanding.

Leases made before this Statute.

IV. Provided always, That this Act, nor any Thing therein contained, shall extend or be prejudicial to make frustrate or void any Lease or Leases heretofore made by any of the said Spiritual or Ecclesiastical Person or Persons or any of them, but that the same and every of them are of the like Force and Effect, as they or any of them were before the making of this present Statute; this Act or any Thing therein contained to the contrary notwithstanding.

V. And where Sir Thomas White, late Knight and Alderman of London, for Advancement of good Learning, hath founded one College in the University of Oxford, called *St. John Baptist's College*, and being seised of the Manor of *Fishyde*, alias *Fisfield*, in the County of *Berks*, did, together with all other his Lands, Tenements and Hereditaments, give and assure the said Manor, with the Appurtenances, to the President and Scholars of the said College for ever; and nevertheless the said Sir Thomas White having then one *Ralph White*, his Brother living, and sundry Kinsmen, to whom, by Course of the Common Law, his

Lands

‘ Lands might have descended, did devise and order, and by the Statutes which he provided for the said House, and by order of the now Visitor of the said College, it is ordained that the said Manor of *Fisbyde* alias *Fisfield*, with the Appurtenances, should be demised by the said President and Scholars for the Time being, to the said *Ralph* for the Term of Ninety nine Years, if the said *Ralph* should so long live, and so it is intended, that from Heir Male to Heir Male of the said *Sir Thomas White*, new Devises should from Time to Time be made of the said Manor with the Appurtenances, to every such Heir Male successively for the Term of Ninety nine Years, if such Heir Male should so long live, yielding to the said President and Scholars for the Time being, such Rent as now is reserved, with such further Covenants and Conditions as by the said *Sir Thomas White* or Visitor is agreed and appointed :

‘ VI. And where since the Decease of the said *Sir Thomas White*, the said Assurances to the said President and Scholars in all, or the most Part of the Lands, Tenements and Hereditaments of the said Founder, were found in some respect imperfect and insufficient in Law, and that thereupon the said *Ralph White*, to whom the Advantage of such Imperfection came by Law, did nevertheless take no such Advantage, but did willingly make perfect the said Assurances according to the true Meaning of the said *Sir Thomas White* his Brother, accepting only one Lease of the said Manor, in such Sort as by the said Visitor was appointed, with the Copyholds and other Appurtenances of the said Manor :’ For Remedy whereof, be it enacted, That the President and Scholars of the said College may from Time to Time demise the said Manor, Copyholds and other Appurtenances, to every Heir Male of the said *Sir Thomas White* successively, according to the Form of Lease thereof already made to the said *Ralph*, and that every such Lease so to be made, and every Covenant made or to be made for the Performance of the same, shall be good in Law, as if the said Act made in the said Thirteenth Year had never been had nor made ; any Thing in the said Act made in the said Thirteenth Year, or any other Act or Matter whatsoever to the contrary notwithstanding.

Lease to Ralph
White of the
Manor of Fisfield.

13 Eliz. c. 10.

‘ VII. And whereas in one other Statute made in the said Thirteenth Year of her Majesty, intituled, *An Act touching Leases of Benefices, and other Ecclesiastical Livings with Cure* (a), one Clause is contained, that the Incumbent offending the Purport of the said Statute shall for the same lose One Year's Profit of his said Benefice, to be distributed by the Ordinary among the Poor of the Parish, as by the said Branch in the said last recited Statute appeareth :’ Be it therefore enacted by the Authority aforesaid, That after Complaint made to the Ordinary, and Sentence given upon any Offence committed by the Incumbent, whereby he shall or ought to lose one Year's Profit of his Benefice as afore shewed, that the Ordinary within two Months after such Sentence given, and Request to him made by the Churchwardens of the said Parish, or one of them, shall grant the Sequestration of such Profits to such Inhabitant or Inhabitants within the Parish where such Benefice shall be as to him shall seem

13 Eliz. c. 20.
§ 1.

Benefice demised
contrary to
13 Eliz. c. 20.

Sequestration,
&c.

(a) [*Repealed*, 43 G. 3. c. 84. § 10.]

meet and convenient; and upon Default therein by the Ordinary, that it may and shall be lawful to every Parishioner where the Benefice is, to retain and keep his or their Tithes, and likewise for the Churchwardens of the said Parish, to enter and take the Profits of the Glebe Lands, and other Rents and Duties of every such Benefice, to be employed to the Use of the Poor as aforesaid, until such Time as Sequestration shall be committed by the Ordinary, and then as well the Churchwardens as the Parishioners, to yield Account of, and make Payment to him or them to whom such Sequestration shall be committed; and that he or they to whom such Sequestration shall be committed from Time to Time, shall justly and truly employ and bestow the said Profits, or the true and just Value thereof, without Fraud or Guile, to such Uses as by the said Statute is limited and appointed, upon Pain of Forfeiture of the double Value of such withholden Profits, to be recovered in the Ecclesiastical Court by the Poor of the said Parish.

Penalty.

C A P. XII.

An Act for the Trial of *Nisi Prius* in the County of *Middlesex*.

‘ WHEREAS heretofore all Issues joined in any of the Courts of Record at *Westminster*, triable in the County of *Middlesex*, having been usually tried at the Bars in the said Courts in *Westminster*: And whereas a great Number of Actions have of late Years been brought in the said County of *Middlesex*, for Speediness of Trial, and that for small Causes, by Reason whereof the Judges of the same Courts have not only been letted and hindred in their Proceedings in Matters of great Weight depending before them by Demurrer or otherwise, to the great Delay of Justice, and Occasion of great Expences and Charges of a Number of the Queen’s Majesty’s most loving Subjects, but also to the great Trouble and Charge of the Freeholders of the said County, who are compelled to give daily Attendance at the several Bars of the same several Courts for the Trial of the said Issues:’ For Reformation whereof, Be it enacted by the Queen’s most Excellent Majesty, our Sovereign Lady, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from henceforth the Chief Justice of *England* for the Time being, upon Issues joined or to be joined in the Court called the King’s Bench, or in the Court of Chancery, the Chief Justice of the Common Pleas for the Time being, upon Issues joined or to be joined in the Court of Common Pleas, and the Chief Baron of the Exchequer for the Time being, upon Issues joined or to be joined in the Court of the Exchequer, or in the Absence or Default of any of them, Two (a) other Judges or Barons of the same several Courts, where it shall happen either of the same Chief Justices, or the Chief Baron, for the Time being, to be absent, shall or may at their Discretions, within the said Hall called *Westminster Hall* in *Westminster*, or in the Place where the Court of Exchequer is commonly kept in the said County of *Middlesex*, as Justices of *Nisi prius* for the said County of *Mid-*

Issues joined in Chancery, King’s Bench, Common Pleas or Exchequer, now tried.

(a) [*One Judge or Baron, 12 G. 1. c. 31. § 1.*]

desen,

dissex, within the Term-time, or within Four Days next after the End of every or any Term severally (*b*), try all Manner of Issues joined or to be joined in any of the said several Courts, which by the ordinary Course of the Laws of the Realm ought to be tried in any of the said Courts by an Inquest of the said County of *Middlesex*: And that Commissions and Writs of *Nisi prius* shall be awarded in such Cases, and in such Form, as they are or have been used in any other Shire of this Realm: And that it shall be lawful for any Person or Persons from henceforth, upon reasonable Warning given to the adverse Party or his or their Attorney, as hath been accustomed in such like Cases, to take or sue forth Writs and Records of *Nisi prius*, for the Trial of the said Issues in the said County of *Middlesex*, as they may do upon any Issue joined, triable in any other County, and thereupon take the Jury in such Manner and Form, and with awarding of *Tales de Circumstantibus*, and awarding the Nonsuit, as is used for the Trial of Issues joined, or Nonsuits to be awarded, in the said Courts or any of them, triable within the City of *London*, or within any other County of this Realm of *England*: And that the Sheriffs of the said County of *Middlesex* for the Time being, shall make Return of all Writs of *Nisi prius* which shall be delivered to them, or to their or to any of their sufficient Deputy for the Time being, before the said Judges, Baron or Barons, and every of them, and shall give their Attendance upon the said Justices, Baron and Barons, as well for the returning of such *Tales* as shall be prayed *de Circumstantibus*, for the trying of the said Issues, as for the doing and executing of all other Thing and Things to the Office of Sheriff in such Case belonging and appertaining: And that all Persons to be impanelled in such Juries, and the Parties to the same Issues and Suits, and the Witnesses for the same, shall be charged and bound in such and the like Sort, and upon like Pains and Penalties for their not Appearance and Attendance, or for their or any of their Misdemeanour or Default before the said Justices of *Nisi prius*, as they should have been, if the same Issue had been tried in the Court from whence the *Nisi prius* thereof was awarded: All which several Trials so to be had before the said several Justices, Baron or Barons, shall by Authority of this present Parliament stand and be as good and available in Law, as if the same had been tried in the Term-time, at the Bar in the Court where such Issue was joined or triable; any Law, Usage or Custom heretofore made, used or accustomed to the contrary hereof in any wise notwithstanding.

Sheriff of Middlesex his Attendance.

Jurors and Witnesses bound for appearance.

(*b*) [*Eight Days*, 12 G. 1. c. 31. § 1. *Fourteen Days*, 24 G. 2. c. 18. § 5.]

C A P. XIII.

An Act concerning Offices found within the Counties Palatines.

WHEREAS the Queen's most Royal Majesty, by the Laws and Statutes of this her Highness Realm of *England*, ought to have the Custody, Wardship and Marriage of the Body, Lands and Tenements of the Heirs of every of her Highness Tenants, holding of her Majesty by Knight's Service in Chief, as of her Crown, or otherwise by Knight's Service, or of a Third Part thereof, and also primer Seafon and Livery of

' their Lands, Tenements and Hereditaments, as the Case doth re-
 ' quire, as well within the County Palatines of the Duchy of *Lancaster*,
 ' and the Earldom of *Chester*, and in the County Palatine of
 ' the Bishoprick of *Durham*, as also in all other Places within the
 ' Dominions of this her Highness Realm of *England* and *Wales*:
 ' And whereas heretofore all such Offices and Inquisitions, as hath
 ' been found by virtue of Writs of *diem clausit extremum*, or by
 ' other Writs or Commissions, or *virtute Officij*, concerning Lands
 ' or Hereditaments, after the Death of any of her Majesty's said
 ' Tenants, within the said County Palatines, are always, and have
 ' been returned into the Court of the said Duchy of *Lancaster*,
 ' and into the Exchequers of the said County Palatines of *Chester*
 ' and *Durham*, or into some such Offices or Officers Hands there-
 ' fore specially appointed, and so being returned, there do remain:
 ' By reason whereof, and for that the said Offices and Inquisitions
 ' are not transcribed into her Majesty's Court of Wards and
 ' Liveries, like as other Offices and Inquisitions are certified out
 ' of her Highness Court of Chancery, her Majesty's Title hath
 ' been oftentimes long delayed and deferred, from the Knowledge
 ' of the Master and Counsel of the said Court of Wards and
 ' Liveries, so that sundry Times it hath happened, that the Heirs
 ' of divers of her Majesty's Tenants being within Age, have died
 ' before Composition made for their Wardships and Marriages,
 ' and other of full Age likewise died before they have entred into
 ' Bands, or paid their primer Season, and sued their Liveries,
 ' whereby oftentimes great Intrusions and Arrearages of the
 ' Rents, Issues and Profits of their Lands hath accrued and grown
 ' before Livery sued, to the great Prejudice and Hindrance, as
 ' well of her said Highness and other her Majesty's Progenitors
 ' for Times heretofore passed, as also to divers her Majesty's Sub-
 ' jects, Occupiers, Farmers and Takers of the Rents, Issues and
 ' Profits of the said Lands, Tenements and Hereditaments.'

II. For speedy Remedy whereof, be it therefore enacted by the
 Queen's Majesty, with the Assent of the Lords Spiritual and Tem-
 poral, and the Commons, in this present Parliament assembled,
 That all such Inquisitions and Offices to be found, from and after
 the First Day of *July* next coming, before any Escheators or Com-
 missioners, by virtue of any such Writs or Commission or otherwise,
 within the said County Palatines of the said Duchy of *Lancaster*,
Chester and *Durham*, or any of them, shall be returned by the
 said Escheators and Commissioners within One Month next after
 the taking of any such Office or Inquisition, into such Place or
 Places, and to such Office and Officers, as heretofore they have
 usually been accustomed to be certified and returned into, upon
 Pain to forfeit for every Default x*l*. li. to the Use of our said
 Sovereign Lady, her Heirs and Successors. And that the Clerk
 of the said Duchy of *Lancaster*, the Vice Chamberlain of the said
 Earldom of *Chester*, and the Chancellor of the said County Pala-
 tine of the said Bishoprick of *Durham*, or other the said Officers
 or Ministers within the said County Palatines, or their Deputy or
 Deputies, and every of them for the Time being, having Autho-
 rity to receive any such Office or Inquisition, to whose Hands any
 such Office or Inquisition shall come to, shall certify or cause to be
 certified under his or their Hands in Parchment, the true Trans-
 cript of every such Office or Inquisition, taken before any of the
 said

said Escheators or Commissioners, unto the Master of the said Court of Wards and Liveries, in such like Manner, Form and Sort, as is limited and appointed to the Clerks of the Petibag in her Highness said Court of Chancery to transcrip the same, upon Pain to forfeit for every such Default v. li. to the Use of our said Sovereign Lady, her Heirs and Successors; which Transcript so to be certified, shall there remain of Record, in like Manner and Form to all Intents and Purposes, as the Transcripts of other Offices already certified into the said Court, by the Clerks of the Petibag in her Majesty's High Court of Chancery are used; any Custom, Statute, Act, Proviso or Provisoes heretofore had, made or used to the contrary in any wise notwithstanding.

[*Knights Service, &c. taken away, 12 Car. 2. c. 24. § 1.*]

C A P. XIV.

An Act for Reformation of Jeofails.

BE it enacted by the Queen's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Verdict of Twelve Men or more shall be hereafter given in any Action, Suit, Bill, Plaint or Demand, in any Court of Record, the Judgment thereupon shall not be stayed or reversed by Reason of any Default in Form, or Lack of Form, touching false *Latin* or Variance from the Register, or other Defaults in Form, in any Writ original or judicial, Count, Declaration, Plaint, Bill, Suit or Demand, or for Want of any Writ original or judicial, or by reason of any imperfect or insufficient Return of any Sheriff or other Officer, or for Want of any Warrant of Attorney, or by reason of any Manner of Default in Process, upon or after any *Aid prior* or *voucher*, nor any such Record of Judgment after Verdict to be given hereafter, shall be reversed for any the Defects or Causes aforesaid; any Law, Statute or Usage to the contrary notwithstanding.

After Verdict no Stay of Judgment, or reversing thereof for want of Form.

II. Provided always, and be it further enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not extend to any Writ, Declaration or Suit of Appeal of Felony or Murder, nor to any Indictment or Presentment of Felony, Murder, Treason or other Matter, nor to any Process upon any of them, nor to any Writ, Bill, Action or Information upon any popular or penal Statute; any Thing aforesaid to the contrary notwithstanding.

Proviso.

III. Provided also, and be it enacted by the Authority aforesaid, That all Attornies in any Suit or Action in any Court of Record, shall deliver in the Warrant of Attornies in such Action or Suit wherein they be named Attornies, to be entered or filed of Record, in such Manner and Form as heretofore by the Law or Statutes in that Behalf made they should or ought to have done, upon Pain to forfeit Ten Pounds for every such Offence: The one Moiety thereof to be to the Queen's Majesty, her Heirs and Successors, and the other Moiety to such Officer or Officers, to whom or in whose Office the same Warrant should be delivered, entered or filed, and to suffer Imprisonment by the Discretion of the Justices of the Court for the Time being, where any such Default shall fortune to be had or made; the said Ten Pounds to

Attorney to enter Warrant of Record.

Penalty.

Imprisonment.

be recovered by Action of Debt, Bill or Information, in which no Effoin, Protection or Wager of Law shall be allowed.

[*Extended to Writs of Mandamus, &c. as therein mentioned, 9 Ann. c. 20. § 7.*]

C A P. XV.

An Act for Reformation of Abuses in Goldsmiths.

A Goldsmith's
Mark.

Fineness of
Wares.

Penalty.

Fineness of
Silver Plate.

Goldsmith taking
too much.

Penalty.

Falshood in Plate,
&c. marked.

Penalty.

‘ **W**HERE certain evil disposed Goldsmiths deceitfully do make and sell Plate, and other Gold and Silver Wares, to the great defrauding of her Majesty and her good Subjects: For Remedy whereof, be it enacted by the Authority of this present Parliament, That no Goldsmith from the Twentieth Day of *April* next coming shall work, sell, exchange, or cause to be wrought, sold or exchanged, any Plate or other Goldsmiths Wares of Gold, less in Fineness than that of Two and twenty Carreets, and that he use no Sother, Amell or other Stuffings whatsoever, in any of their Works, more than is necessary for the finishing of the same; and that they take not above the Rate of Twelve pence for the Ounce of Gold, besides the Fashion, (more than the Buyer shall or may be allowed for the same at the Queen’s Exchange or Mint) upon Pain to forfeit the Value of the Thing so sold or exchanged: And that from the said Twentieth Day of *April* no Goldsmith shall make, sell or exchange in any Place within this Realm, any Plate or Goldsmith’s Wares of Silver, less in Fineness than that of Eleven Ounces Two penny Weight; nor take above the Rate of Twelve Pence for every Pound Weight of Plate or Wares of Silver, besides the Fashion, more than the Buyer shall or may be allowed for the same at the Queen’s Exchange or Mint; nor put to sale, exchange or sell any Plate or Goldsmith’s Work of Silver, before he hath set his own Mark to so much thereof as conveniently may bear the same; upon Pain to forfeit the Value of the Thing so sold or exchanged. And if any Goldsmith shall make any Goldsmith’s Work or Plate, and the same after the said Twentieth Day of *April* shall be touched, marked and allowed for good, by the Wardens or Masters of that Mystery, and if in the same there shall be found any Falshood or Deceit; then the Wardens and Corporation of that Mystery for the Time being, shall forfeit and pay the Value of the Thing so exchanged or sold; the one Moiety of all which Forfeitures shall be to the Use of the Queen’s Majesty, and the other Moiety to the Use of such Party grieved and sustaining Loss thereby, as will sue for the same in any Court of Record, by Action, Bill, Plaint, Information or otherwise, wherein no Effoin, Protection or Wager of Law shall be admitted for the Defendand.

[*See 6 G. 1. c. 11.*]

C A P. XVI.

An Act for the Toleration of certain Clothiers in the Counties of *Wils*, *Somerset* and *Gloucester*, to inhabit out of Towns Corporate.

[*Repealed, 21 Jac. 1. c. 28. § 11.*]

C A P. XVII.

An Act for the perpetual Maintenance of *Rocheſter* Bridge.

[See as to Election of Wardens, &c. 1 Ann. Stat. 1. c. 18. § 14.]

C A P. XVIII.

An Act for the repairing of *Chepſlow* Bridge.

[Repealed 3 Jac. 1. c. 23.]

C A P. XIX.

An Act for the Paving of the City of *Chicheſter*.

[Repealed 31 G. 3. c. 63.]

C A P. XX.

An Act for the Repairing and Amending of the Bridges and Highways near unto the City of *Oxford*.

[Continued 3 Car. 1. c. 4. § 16. 22. 16 Car. 1. c. 4. See as to Insufficiency of this Act, 11 G. 3. c. 19. § 1.]

C A P. XXI.

An Act for the Relief and Re-edifying of the Borough of *New Woodſtock*, in the County of *Oxford*.

C A P. XXII.

An Act for Confirmation of a Subſidy granted by the Clergy.
EXP.

C A P. XXIII.

An Act of Two Fifteens and Tenths, and one Subſidy granted by the Temporality. EXP.

C A P. XXIV.

An Act of the Queen's Maſteſty's moſt free and general Pardon.

[Note, Theſe laſt Three Acts not numbered on the Roll.]

Anno vicesimo tertio Reginæ ELIZABETHÆ.
(A.D. 1581.)

STATUTES made in the Parliament by Prorogation holden at Westminster the Sixteenth Day of January in the Three and twentieth Year of the Reign of our most gracious and excellent Sovereign Lady ELIZABETH, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. viz.

C A P. I.

An Act to retain the Queen's Majesty's Subjects in their due Obedience.

WHERE sithence the Statute made in the Thirteenth Year of the Reign of the Queen our Sovereign Lady, intituled, *An Act against the bringing in, and putting in Execution of Bulls, Writings and Instruments, and other Superstitious Things from the See of Rome*, divers evil affected Persons have practised, contrary to the Meaning of the said Statute, by other Means than by Bulls or Instruments written or printed, to withdraw divers the Queen's Majesty's Subjects from their natural Obedience to her Majesty, to obey the said usurped Authority of Rome, and in respect of the same to persuade great Numbers to withdraw their due Obedience from her Majesty's Laws, established for the due Service of Almighty God:

II. For Reformation whereof, and to declare the true Meaning of the said Law, be it declared and enacted by the Authority of this present Parliament, That all Persons whatsoever, which have or shall have, or shall pretend to have Power, or shall by any Ways or Means put in Practice to absolve, persuade or withdraw any of the Queen's Majesty's Subjects, or any within her Highness's Realms and Dominions, from their natural Obedience to her Majesty: Or to withdraw them for that Intent from the Religion now by her Highness's Authority established within her Highness's Dominions, to the *Romish* Religion, or to move them or any of them to promise any Obedience to any pretended Authority of the See of Rome, or of any other Prince, State or Potentate, to be had or used within her Dominions, or shall do any overt Act to that Intent or Purpose; and every of them shall be to all Intents adjudged to be Traitors, and being thereof lawfully convicted shall have Judgment, suffer and forfeit, as in case of High Treason. And if any Person shall, after the End of this Session of Parliament, by any Means be willingly absolved or withdrawn as aforesaid, or willingly be reconciled, or shall promise any Obedience to any such pretended Authority, Prince, State or Potentate, as is aforesaid, that then every such Person, their Procurers and Counsellors thereunto, being thereof lawfully convicted, shall be taken, tried and judged, and shall suffer and forfeit, as in Cases of High Treason.

III. And

23 Eliz. c. 1.

Withdrawing any
from Religion
established.

Treason.

Being reconciled,
&c. to the Ro-
mish Religion.

III. And be it likewise enacted and declared, That all and every Person and Persons that shall wittingly be Aiders or Maintainers of such Persons so offending as is above expressed, or any of them, knowing the same, or which shall conceal any Offence as aforesaid, and shall not within Twenty Days at the furthest, after such Persons Knowledge of such Offence, disclose the same to some Justice of Peace or other higher Officer, shall be taken, tried and judged, and shall suffer and forfeit, as Offenders in Misprision of Treason.

Aiders, &c.

Penalty.

IV. And be it likewise enacted, That every Person which shall say or sing Mass, being thereof lawfully convicted, shall forfeit the Sum of Two hundred Marks, and be committed to Prison in the next Gaol, there to remain by the Space of one Year, and from thenceforth till he have paid the said Sum of Two hundred Marks: And that every Person which shall willingly hear Mass, shall forfeit the Sum of One hundred Marks, and suffer Imprisonment for a Year.

Saying, &c. Mass.
Penalty.

Penalty.

V. Be it also further enacted by the Authority aforesaid, That every Person above the Age of Sixteen Years, which shall not repair to some Church, Chapel or usual Place of Common Prayer, but forbear the same, contrary to the Tenor of a Statute made in the First Year of her Majesty's Reign, for Uniformity of Common Prayer, and being thereof lawfully convicted, shall forfeit to the Queen's Majesty for every Month, after the End of this Session of Parliament, which he or she shall so forbear, Twenty Pounds of lawful *English* Money (*a*), and that over and besides the said Forfeitures, every Person so forbearing by the Space of Twelve Months as aforesaid, shall for his or her Obstinacy, after Certificate thereof in writing made into the Court commonly called the King's Bench, by the Ordinary of the Diocese, a Justice of Assize and Gaol-delivery, or a Justice of Peace of the County where such Offender shall dwell or be, be bound with Two sufficient Sureties in the Sum of Two hundred Pounds at least, to the good Behaviour, and so to continue bound, until such Time as the Persons so bound do conform themselves and come to the Church, according to the true Meaning of the said Statute made in the said first Year of the Queen's Majesty's Reign.

Not coming to
Church by the
Space of a
Month.

Penalty.

1 Eliz. c. 2.

VI. And be it further enacted, That if any Person or Persons, Body Politick or Corporate, after the Feast of *Pentecost* next coming, shall keep or maintain any Schoolmaster which shall not repair to Church as is aforesaid, or be allowed by the Bishop or Ordinary of the Diocese where such Schoolmaster shall be so kept, shall forfeit and lose for every Month so keeping him, Ten Pounds. [As to Dissenting Schoolmaster, 19 G. 3. c. 44. § 2.]

Schoolmaster.

Penalty.

VII. Provided that no such Ordinary or their Ministers shall take any Thing for the said Allowance.) And such Schoolmaster or Teacher, presuming to teach contrary to this Act, and being thereof lawfully convicted, shall be disabled to be a Teacher of Youth, and shall suffer Imprisonment without Bail or Mainprize for one Year.

Imprisonment.

VIII. And be it likewise enacted, That all and every Offences against this Act, or against the Acts of the First, Fifth or Thirteenth Years of her Majesty's Reign, touching acknowledging

What Justices
may enquire of
Offences.

of her Majesty's Supreme Government in Causes Ecclesiastical, or other Matters touching the Service of God or coming to Church, or Establishment of true Religion in this Realm, shall and may be inquirable, as well before Justices of Peace, as other Justices named in the same Statutes, within one Year and a Day after every such Offence committed; any Thing in this Act, or in any other Act to the contrary notwithstanding.

Who may deter-
mine Offences.

IX. Be it likewise enacted, That the Justices of *Oyer and Terminer*, and Justices of Assise and of Gaol-delivery, in their several Limits, shall have Power to inquire, hear and determine of all Offences against this Statute: And Justices of Peace in their open Quarter-Sessions of Peace shall have Power by virtue of this Act to inquire, hear and determine of all Offences against this Act, except Treason and Misprision of Treason.

Conforming.

X. Provided alway, That every Person guilty of any Offence against this Statute, other than Treason and Misprision of Treason, which shall before he be thereof indicted, or at his Arraignment or Trial before Judgment, submit and conform himself before the Bishop of the Diocese where he shall be resident, or before the Justices where he shall be indicted, arraigned or tried, (having not before made like Submission at any his Trial, being indicted for his first like Offence) shall upon his Recognition of such Submission in open Assises or Sessions of the County where such Person shall be resident, be discharged of all and every the said Offences against this Act (except Treason and Misprision of Treason) and of all Pains and Forfeitures for the same.

Penalties how
divided.

XI. And be it likewise enacted, That all Forfeitures of any Sums of Money limited by this Act, shall be divided in Three equal Parts, whereof one Third Part shall be to the Queen's Majesty to her own Use, one other Third Part to the Queen's Majesty for Relief of the Poor in the Parish where the Offence shall be committed, to be delivered by Warrant of the principal Officers in the Receipt of the Exchequer without further Warrant from her Majesty (a); and the other Third Part to such Person as will sue for the same in any Court of Record, by Action of Debt, Bill, Plaint or Information; in which Suit no Effoin, Protection or Wager of Law shall be allowed: And that every Person which shall forfeit any Sums of Money by virtue of this Act, and shall not be able, or shall fail, to pay the same within Three Months after Judgment thereof given, shall be committed to Prison, there to remain until he have paid the said Sums, or conform himself, or go to Church, and there do as is aforesaid.

Imprisonment
till Penalty paid.

Service in a
Man's private
House.

XII. Provided also, That every Person which usually on the Sunday shall have in his or her House the Divine Service which is established by the Law of this Realm, and be thereat himself or herself usually or most commonly present, and shall not obstinately refuse to come to Church, and there to do as is aforesaid, and shall also Four Times in the Year at the least be present at the Divine Service in the Church of the Parish where he or she shall be resident, or in some other open common Church or such Chapel of Ease, shall not incur any Pain or Penalty limited by this Act for not repairing to Church.

(a) [As to the Disposition of this Third Part, See 29 Eliz. c. 6. § 7.]

XIII. And

XIII. And be it likewise enacted and declared, That every Grant, Conveyance, Bond, Judgment and Execution, had or made since the Beginning of this Session of Parliament, or hereafter to be had or made, of covinous Purpose to defraud any Interest, Right or Title, that may or ought to grow to the Queen, or to any other Person, by Means of any Conviction or Judgment by virtue of this Statute, or of the said Statute of the said Thirteenth Year, shall be, and be adjudged to be, utterly void against the Queen, and against such as shall sue for any Part of the said Penalties in Form aforesaid.

Fraudulent Assurances to defeat Forfeitures

XIV. Provided always, That if any Peer of this Realm shall happen to be indicted of any Offence made Treason or Misprision of Treason by this Act, he shall have his Trial by his Peers as in other like Cases is accustomed.

Peer of the Realm.

XV. Provided also, That neither this Act, nor any Thing therein contained, shall extend to take away or abridge the Authority or Jurisdiction of the Ecclesiastical Censures for any Cause or Matter, but that the Archbishops and Bishops and other Ecclesiastical Judges may do and proceed, as before the making of this Act they lawfully did or might have done; any Thing in this Act to the contrary notwithstanding.

Ecclesiastical Censures.

[See 31 G. 3. c. 32. § 4.]

C A P. II.

An Act against seditious Words and Rumours uttered against the Queen's most excellent Majesty. EXP.

‘ WHEREAS in and by the Laws and Statutes of this Realm already made and ordained against seditious Words and Rumours, uttered against the Queen's most excellent Majesty, there is not sufficient and condign Punishment provided for to suppress the Malice of such as be evil affected towards her Highness: Be it therefore enacted by the Authority of this present Parliament, That if any Person or Persons, after the End of Forty Days next ensuing the End of this present Session of Parliament, shall advisedly, and with a malicious Intent of his or their own Imagination, speak any false, seditious and slanderous News, Rumours, Sayings or Tales against our said most natural Sovereign Lady the Queen's Majesty (that now is), that then all and every such Person and Persons so offending, being thereof lawfully convicted or attainted, in Form hereafter in this present Act expressed, shall for every such First Offence, either be in some Market-place within the Shire, City or Borough, where the said Words were or shall be so spoken, set openly upon the Pillory, by the Sheriff or his Ministers, if it shall fortune to be without any City or Town Corporate: And if it shall happen to be within any City or Town Corporate, then by the principal Officer or Officers of such City or Town Corporate, or his or their Ministers, and there to have both his Ears cut off, or at the Election of the Offender pay Two hundred Pounds to the Queen's Highness use in her Majesty's Receipt of the Exchequer, within Two Months next after the Judgment given of his said Offence, and also shall suffer Imprisonment by the Space of Six Months after such his or their Conviction, without Bail or Mainprife.

II. And

II. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, which, after the End of the said Forty Days, shall advisedly and with a malicious Intent against our said Sovereign Lady report any false, seditious and slanderous News, Rumours or Tales to the Slander and Defamation of our said Sovereign Lady the Queen's Majesty (that now is), of the speaking or reporting of any other, that then all and every such Person or Persons so reporting, being thereof convicted and attainted in Form hereafter in this Act expressed, shall for every such First Offence, either be in some Market-place within the Shire, City, Borough or Town where the said Words were, or shall be so reported, set openly upon the Pillory by the Sheriff or his Ministers, if it shall fortune to be without any City or Town Corporate, and if it shall happen to be within any City or Town Corporate, then by the principal Officer or Officers of such City or Town Corporate, or his or their Ministers, and there to have one of his Ears cut off, or at the Election of the Offender pay Two hundred Marks to the Queen's Highness Use, in her Majesty's said Receipt of the Exchequer, within Two Months next after the Judgment given of his said Offence, and also shall suffer Imprisonment by the Space of Three Months after such his or their Conviction, without Bail or Mainprise.

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons, once lawfully convicted for any of the Offences aforesaid, do afterwards afterwards offend in any of the Offences aforesaid, That then every such Second Offence to be deemed and adjudged Felony, and the Offender and the Offenders therein, to suffer such Pains of Death and Forfeiture as in case of Felony, without any Benefit of Clergy or Sanctuary to be allowed unto the Offender in that Behalf.

IV. And be it further enacted by the Authority aforesaid, That if any Person or Persons, after the End of the said Forty Days, either within this Realm, or in any other the Queen's Dominions, or in any other Place out of the Queen's Dominions, shall advisedly and with a malicious Intent against our said Sovereign Lady, devise and write, print or set forth any Manner of Book, Rhime, Ballad, Letter or Writing containing any false, seditious and slanderous Matter to the Defamation of the Queen's Majesty (that now is), or to the encouraging, stirring or moving of any Insurrection or Rebellion within this Realm, or any the Dominions belonging to the same, or if any Person or Persons after the End of the said Forty Days, either within this Realm or other the Queen's Dominions, or in any other Place out of the Queen's Dominions, shall advisedly and with a malicious Intent against our said Sovereign Lady, procure or cause any such Book, Rhime, Ballad, Letter or Writing to be written, printed, published or set forth, and the said Offence not being punishable by the Statute made in the Five and twentieth Year of the Reign of King Edward the Third concerning Treason, or Declaration of Treason, or by any other Statute whereby any Offence is made or declared Treason; that then every such Offence shall be deemed and adjudged Felony, and the Offenders therein being thereof convicted and attainted, shall suffer such Pains of Death and Forfeiture, as in case of Felony is used, without any Benefit of

Clergy or Sanctuary to be allowed unto the Offender in that Behalf.

V. And for that divers Persons wickedly disposed, and forgetting their Duty and Allegiance, have of late not only wished her Majesty's Death, but also by divers Means practised and sought to know how long her Highness should live, and who should reign after her Decease, and what Changes and Alterations should thereby happen, to the Intent that such Mischiefs and Inconveniencies as may thereby grow in the Common Weal to the great Disturbance of the same, may be cut off and prevented;

VI. Be it also enacted by the Authority aforesaid, That if any Person or Persons, of what Estate, Condition or Degree soever he or they be, at any Time after the End of the said Forty Days, and during the Life of our said Sovereign Lady the Queen's Majesty (that now is), either within her Highnesses Dominions or without, shall by setting or erecting of any Figure or Figures, or by casting of Nativities, or by Calculation, or by any Prophecying, Witchcraft, Conjurations or other like unlawful Means whatsoever, seek to know, and shall set forth by expresse Words, Deeds or Writings, how long her Majesty shall live or continue, or who shall reign as King or Queen of this Realm of *England* after her Highnesses Decease, or else shall advisedly and with a malicious Intent against her Highness, utter any Manner of direct Prophecies to any such Intent or Purpose, or shall maliciously by any Words, Writing or Printing, wish, will or desire the Death or Deprivation of our Sovereign Lady the Queen's Majesty (that now is), or any Thing directly to the same Effect, that then every such Offence shall be Felony, and every Offender and Offenders therein, and also all his or their Aiders, Procurers, and Abettors in or to the said Offences, shall be judged as Felons, and shall suffer such Pains of Death and Forfeiture, as in case of Felony is used, without any Benefit of Clergy or Sanctuary.

VII. And be it further enacted by the Authority aforesaid, That the Justices of the Court, commonly called the King's Bench, Justices of *Oyer and Determiner*, Justices of Assises in their several Circuits, and Justices of General Gaol Delivery, as well within Liberties as without, within the Limits of their several Commissions, shall by virtue hereof have full Power and Authority to inquire of, and to hear and determine all and every the Offences aforesaid, and that the Party indicted and arraigned of any the Offences aforesaid, shall have Advantage of all Manner of Challenges to the Jury, as in Trial of Felony is used.

VIII. And also that all Justices of Peace, as well within Liberties as without, within the Limits of their several Commissions, in their General or Quarter-Sessions, shall by virtue hereof have full Power and Authority to enquire of all and every the Offences aforesaid, and to cause the Offender and Offenders therein to be indicted without any further Proceeding therein. And that also every Justice of Peace within the Limits of his Commission, shall have full Power and Authority to commit any Person being vehemently suspected of any of the said Offences to Ward, unless he do put in Sureties to make his personal Appearance at the next Quarter-Sessions or Gaol Delivery, and in Default of finding such Sureties, then to commit him to Prison, there to

to remain, until he shall find Sureties for his Appearance, as is aforesaid.

IX. And be it further enacted by the Authority aforesaid, That all Offences made Felony by this Act, which hereafter shall be done or committed by any Person or Persons out of this Realm of *England*, shall be from henceforth inquired of, heard and determined before the Queen's Majesty's Justices of her Bench for Pleas to be holden before herself, by good and lawful Men of the same County, where the same Bench shall be kept, in like Manner and Form, to all Intents and Purposes, as if the same Offences had been done and committed within the same County where they shall so be inquired of, heard and determined, any Thing to the contrary notwithstanding.

X. Provided always, and be it enacted by the Authority aforesaid, That no Manner of Person or Persons shall be molested or impeached for any of the Offences concerning speaking or reporting as is aforesaid, unless he or they be thereof accused within one Month next after such Words so spoken or reported, before some one Justice of Peace, and the Witnesses therein to be used, named to the same Justice, and the same Accusation and Witnesses Names put in Writing by the said Justice, and certified at the next Quarter-Sessions or Gaol Delivery; and unless such Offender also be indicted within one Year next after his or their said Offence so supposed to be committed or done.

XI. Provided also, and be it enacted by the Authority aforesaid, That every such Mayor or Mayors, Bailiff or other Head Officer of Cities, Boroughs and Towns Corporate, which have or hereafter shall have Jurisdiction and Authority, within the several Limits of their Office or Offices, to hold and keep Sessions as Justice or Justices of the Peace, shall and may by the Authority hereof, as well arrest and commit to Ward or Bail, in Manner and Form aforesaid, all and every Person and Persons being vehemently suspected of any the Offences aforesaid, as also to inquire of all and every the Offences aforesaid, and to proceed to the Indicting of every such Offender without any further proceeding therein, any Thing in this Act to the contrary notwithstanding.

XII. Provided also, and be it enacted, That this present Act shall be proclaimed in all the Counties within this Realm before the End of Eight and twenty Days next ensuing the End of this present Session of Parliament, to the Intent that all Persons may have Notice thereof, and thereby to avoid the Peril and Danger that may ensue by offending against the same.

XIII. Provided always, and be it enacted by the Authority aforesaid, That the Peers of this Realm, and every of them that shall hereafter fortune to be indicted of any the Offences aforesaid, shall be tried by their Peers, as before hath been accustomed in Cases of Treason and Felony.

XIV. Provided also, and be it enacted by the Authority aforesaid, That this Act nor any Thing therein contained, nor any Attainder or Attainders of any Person or Persons, for any Offence or Offences made Felony by this Act, shall in any wise extend or be adjudged, interpreted or expounded to make the Offender or Offenders to forfeit or lose any Lands, Tenements or Hereditaments any longer than only during his own Life, or to make any
Corruption

Corruption of Blood to any the Heir or Heirs of any such Offender or Offenders, or to make the Wife of any such Offender to lose or forfeit her Dower or Title of Dower, of or in any Lands, Tenements or Hereditaments, or her Action or Interest to the same: Any Thing in this Act contained, or any Attainder or Attainders hereafter to be had, for any Offence or Offences made Felony by this Act, to the contrary notwithstanding.

XV. Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons shall be hereafter indicted or arraigned for any Offence or Offences touching or concerning, speaking or reporting as aforesaid, unless the same Offence or Offences be proved by the Testimony, Deposition and Oaths of Two sufficient Witnesses at the Time of his or their Indictment, which said Witnesses also, at the Time of the Arraignment of the Party so indicted, shall be brought forth in Person before the Party so arraigned, face to face, and there shall openly declare all they can say against the said Party so indicted, unless the said Party so indicted shall willingly and without Violence confess the same.

XVI. And be it likewise enacted by the Authority aforesaid, That the Statute of the First and Second Years of King Philip and Queen Mary, intituled, *An Act against seditious Words and Rumours*, and one other Act of Parliament made in the First Year of the Reign of our said Sovereign Lady the Queen's Majesty (that now is), whereby it is provided and enacted that the said former Act shall extend to and for our said Sovereign Lady the Queen's Majesty that now is, and every Clause, Article and Sentence in every of the said Acts and Statutes, shall from and after the Proclamation of this Act be repealed and void to all Intents and Purposes, for so long Time as this Act shall continue in full Strength and perfect Force.

1 & 2 P & M c. 3.
1 Eliz. c. 6.

XVII. And be it likewise enacted by the Authority aforesaid, That this Act nor any Thing therein contained, shall have Continuance or be in force for any longer Time than only during the natural Life of our said Sovereign Lady the Queen's most Excellent Majesty that now is, whom God long preserve, to his Glory, her Highness Honour and Safety, and to the Commonwealth of all her Majesty's Dominions. Amen.

C A P. III.

An Act for the Reformation of Errors in Fines and Recoveries.

‘FOR the appeasing of Suits, the avoiding of false Practices, Deceits, Devices and Misdemeanours, and for helping of Negligences and Misprisions of Clerks and Officers, dangerous to Assurances of Men's Lands and Hereditaments;’ be it enacted by the Queen's most excellent Majesty our Sovereign Lady, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That every Writ of Covenant and other Writ, whereupon any Fine heretofore hath been levied or hereafter shall be levied, the Return thereof, the Writ of *Dedimus potestatem* made for the knowing of any of the same Fines, the Return thereof, the Concord, Note and Foot of every such Fine, the Proclamations made thereupon, and the King's Silver, and also every original Writ of Entry

Inrolment of
Fines and Recoveries.

Entry in the *Poff* or other Writ, whereupon any Common Recovery hath been suffered or hereafter shall be suffered or passed, the Writs of *Summon. ad Warrantizandum*, the Returns of the said Originals and Writs of *Summon. ad Warrantizandum*, and every Warrant of Attorney had or to be had, as well of every Demandant and Tenant as Vouchee, extant and remaining, or that shall be extant and in being, may upon the Request or Election of any Person, be inrolled in Rolls of Parchment by such Persons, and for such Considerations, as hereafter in this Act shall be mentioned; and that the Inrolments of the same, or of any Part thereof, shall be of as good Force and Validity in Law, to all Intents, Respects and Purposes, for so much of any of them so inrolled, as the same being extant and remaining were or ought by Law to be.

Validity.

**For what Errors,
Fines, &c. not
reversible.**

II. And be it further enacted by the Authority aforesaid, That no Fine, Proclamations upon Fines, or Common Recovery, heretofore had, levied, suffered or passed, or hereafter to be had, levied, suffered or passed, shall be reversed or reversible by any Writ of Error, for false or incongrue *Latin*, Rasure, Interlining, misentering of any Warrant of Attorney, or of any Proclamation, Mis-returning or Not-returning of the Sheriff, or other want of Form in Words and not in Matter of Substance.

**What Persons
may have and in
what Cases Writs
of Error.**

III. Provided always, That this Act, nor any Thing therein contained, shall bar or exclude any Person or Persons from any Writ of Error which shall be had, taken or pursued, within Five Years next after the End of the Session of this present Parliament, upon any Fine or Recovery heretofore had or suffered, nor from any Writ of Error which shall be had, taken or pursued upon any Fine or Recovery heretofore levied, knowledged or had, which Fine or Fines, Recovery or Recoveries, or any Part or Parcel of them, or any of them, now is, or at any Time before the First Day of *June*, which shall be in the Year of our Lord God One thousand five hundred eighty two, shall be exemplified under the Great Seal of *England*, at and by the Suit of any Person that is or may be intitled to have or sue any Writ of Error upon any the Fines or Recoveries heretofore passed; nor to bar any Feme Covert, or any Person within the Age of one and twenty Years, or any Person that is *Non compos mentis*, in Prison or beyond the Seas, of or from any Writ of Error to be had or prosecuted for the reversing of any Fine or Recovery heretofore passed, levied or suffered, so that such Feme Covert or her Heirs, within Seven Years next after that she become sole, and such Person within the Age of One and twenty Years, or his Heirs within Seven Years next after he shall come and be of full Age of One and twenty Years, and such Person that is *Non compos mentis*, within Seven Years next after he shall become of sane Memory, and in Default thereof, the Heirs of such Person that is *Non compos mentis*, within Seven Years next after the Death of such Person being *Non compos mentis*, and such Person in Prison or his Heirs, within Seven Years next after the same Person shall be at Liberty, and such Person beyond the Seas or his Heirs, within Seven Years next after the Return of such Person into this Realm of *England*, or the Death of the said Person, if he shall, before his Return, die in any foreign Country, shall sue, take and prosecute their Writs of Error, as their Cases severally shall require, for reversing of any

any the said Fines or Recoveries heretofore passed, levied or suffered.

IV. Provided always, and be it further enacted by the Authority aforesaid, That if any Person or Persons shall, within the Time and Years afore mentioned, commence or sue his or their Writs of Error for the reverſing of any the said Fines or Recoveries heretofore passed, which Suit shall fortune to abate by the Death of any the Parties to the same, that then it shall and may be lawful for his and their Heirs, at any Time within One Year next after the said Seven Years expired, to have, sue and take their Writ of Error for the reverſing of every ſuch Fine and Recovery; and if ſuch Heir be an Infant within the Age of One and twenty Years, then within One Year next after the full Age of ſuch Infant; any Thing in this preſent Act contained to the contrary thereof in any wiſe notwithstanding.

Anceſſor dying
pending Suit.

Remedy.

V. And be it further enacted by the Authority of this preſent Parliament, That every Perſon that ſhall at any Time hereafter take the Knowledge of any Fine or Warrant of Attorney of any Tenant or Vouchee for ſuffering of any Common Recovery, or ſhall certify them or any of them, ſhall, with the Certificate of the Concord or Warrant of Attorney, certify alſo the Day and Year wherein the ſame was knowledged; and that no Perſon that taketh any ſuch Knowledge of any Fine, or Warrant for any Recovery, ſhall be bounden, or by any Means inforced to certify any ſuch Knowledge or Warrant, except it be within One Year next after the ſaid Knowledge taken: And that no Clerk or Officer ſhall receive any Writ of Covenant or Writ of Entry, whereupon any Fine or Common Recovery is hereafter to paſs, unleſs the Day of the Knowledge of the ſame Fine and Warrant ſhall appear in or by ſuch Certificate; upon Pain that every Clerk that ſhall receive any ſuch Writ, ſhall forfeit for every Time that he ſhall ſo offend, the Sum of Five Pounds; and that no Attornment in or upon any Fine be entered upon Record, except the Party mentioned to attorn therein, firſt have appeared in the Court in Perſon or by Attorney warranted by the Hand of one of the Juſtices of the one Bench or the other, or of one Juſtice of Aſſize, upon a Writ of *Quid Juris clamas, Quem Redium reddit*, or *Per que ſervitia*, as the Caſe requireth; and that every Entry of Attornment hereafter to be made, where there ſhall be no Appearance as afore is ſaid, ſhall be utterly void and of none Effect, without any Writ of Error or other Means to be uſed for the avoiding thereof.

Day and Year
certified of
Acknowledg-
ment of Fine,
&c.

Attornment
upon Fine.

VI. And be it further enacted by the Authority aforesaid, That there ſhall be for ever one Office for the Inrolment aforeſaid, which ſhall be and continue an Office for ever, called the Office of Inrolment of Writs for Fines and Recoveries; and that the Juſtices of the Common Pleas for the Time being, (other than the Chief Juſtice), ſhall have and take the Care and Charge of and for the Inrolments aforeſaid, and ſhall have and enjoy the ſaid Office and the Diſpoſition thereof, and carefully ſee and look to the Execution thereof; and in Conſideration of their Charges, Pain and Travel therein, ſhall have and take the Sums of Money hereafter following and no more; that is to ſay, for the Inrolment and Examination of every Fine and the Parts thereof before mentioned, the Sum of Six Shillings Eight Pence; and for the Inrolment

Officer of Inrol-
ments of Writs
for Fines and
Recoveries.

Fees.

ment

ment of the said Parts of every Recovery and the Examination thereof, Six Shillings Eight Pence; and for every Exemplification of the Inrolment of any Fine, Five Shillings; and for the Exemplification and Returns of every Writ of Entry, Summons *ad Warrantizands*, and Warrants, Five Shillings; and for the Search of the Rolls of one Year, Four Pence; and for the Copy of one Sheet of Paper containing Fourteen Lines, Four Pence; and that the said Justices, or one of them, shall examine the Inrolments of every such Fine and Parts of Recoveries, and forthwith after Examination thereof, and immediately after the Inrolment of every such Fine and Parts of Recoveries, write his Name that so examineth with his own Hand in the Roll thereof, upon Pain that the said Justices shall forfeit to our Sovereign Lady the Queen's Majesty the Sum of Five Pounds, for every Time that they or some or one of them shall make Default of such Examination or Writing of his or their Name as afore is said; and that it shall and may be lawful to and for the Justices of the said Court of Common Pleas, from Time to Time to take Order in all Things that shall be convenient and needful for the Inrolments aforesaid, and upon Examination in the said Court, to assess such Fine or Amerciament upon any Clerk, Sheriff, Deputy, Attorney and other Person, for his and their Misprision, Contempt and Negligence for not doing or misdoing in any Thing, of, in or concerning the said Fines and Recoveries, or any Part of them or either of them, as by the said Justices of the said Court of Common Pleas for the Time being shall be thought meet and convenient; the said Fine and Amerciament to be estreated amongst other Fines and Amerciaments of that Court where such Offence or Misprision shall be committed.

Penalty.

Justices may
assess Fines for
Misprision, &c.

Table of Fines
in Common
Pleas and at
Assizes.

VII. And be it further enacted by the Authority of this present Parliament, That the Chirographer of Fines of the Common Pleas for the Time being for ever shall write and make, or cause to be written and made, for every County where her Majesty's Writ runneth, one Table, wherein shall be contained such Contents of every Fine that shall pass in any one Term, as hereafter is mentioned; that is to say, the Name of the County wherein the Tenements mentioned in any Fine be, the Name of every Plaintiff and Deforciant, and of every Manor named in the Fine, if any such be, and of the Towns and Places where the Tenements in such Fine comprised do lie; and the First Day of the next Term after the ingrossing of every such Fine shall fix every of the said Tables upon some open Place in the Court of Common Pleas, and so every Day of the said Term, during the Time of sitting of the said Court; and that the said Chirographer shall deliver to every Sheriff of every County, his Under-Sheriff or Deputy, fair written in Parchment, a perfect Content of the Table so to be made for that Shire, in the Term that shall next before the Assizes be holden in the said County, or else meane between that Term and the said Assizes; and that every such Sheriff to whom such Parchments with the Contents aforesaid shall be delivered, the First Day of the next Assizes after the Delivery thereof unto him, and every Day during the said Assizes, shall fix and set up the same Writing undefaced, in some open Place in the Court where the Justices of the Assize of that County shall sit, and shall see the same to continue there during such Time as the said Justices shall sit there in

Court, upon Pain that every Chirographer and Sheriff offending Penalty. against any Thing in this Act contained, shall forfeit to our Sovereign Lady the Queen's Majesty the Sum of Five Pounds, the one Moiety whereof shall be to the Queen's Majesty, her Heirs and Successors, and the other Moiety to him or them that will sue for the same in any Court of Record, wherein no Essoign, Protection or Wager of Law shall be allowed; and that the Chirographer Chirographer's Fee. for the Time being shall have and take for every such Content of every Fine so set down in the Table aforesaid, Four Pence.

VIII. And forasmuch as upon great Examination it appeareth, that divers Fines and Recoveries have been heretofore levied and suffered of divers Manors, Messuages, Lands, Tenements and Hereditaments, which sometime were the Inheritance of George sometime Earl of Kent, Great-Grandfather to Henry now Earl of Kent, in Use, Possession, Reversion or Remainder, Earl of Kent's Title. whereunto the said now Earl of Kent pretendeth Title in Use, Possession, Reversion or Remainder, which, if they be erroneous as is pretended, do much vary from the general Cause and Mischiefe for which this Statute meaneth to provide; Be it therefore enacted by the Authority aforesaid, That neither this Statute, nor any Thing therein contained, shall extend to take away any Writ of Error whereunto any Person or Persons is now or hereafter shall be lawfully intituled, for the reversing of the said Fines and Recoveries or any of them, heretofore levied or suffered of any of the said Manors, Messuages, Lands, Tenements or Hereditaments, which late were any Part or Parcel of the Inheritance of the said George sometime Earl of Kent, in Use, Possession, Reversion or Remainder; any Thing in this Statute contained to the contrary thereof in any wise notwithstanding.

IX. Provided always, and be it enacted by the Authority aforesaid, That it shall be lawful for the Justices Clerks, authorized by their Warrant, in the said several Offices and Places where the same Records or any of them do or shall remain, to write out or inroll the same Records and every Part thereof, without any Thing to be paid therefore; and that the said Records nor any of them, for the writing out or making the Rolls thereof by the Clerks of the said Justices, otherwise than for the Examination thereof by the Justices, shall be brought or carried forth of the said Offices or Places. Records not to be carried forth of Office.

X. And be it further enacted by the Authority aforesaid, That none of the Fines or Recoveries heretofore levied, passed or suffered, which shall be exemplified under the Great Seal according to the Form of this Act, shall after such Exemplification had, be in any wise amended. Amendment of Fines, &c.

[As to Reformation of Errors in Fines and Recoveries in Wales, &c. 27 Eliz. c. 9.]

C A P. IV.

An Act for the fortifying of the Borders towards Scotland.

FORASMUCH as great Care hath been heretofore taken for Maintenance of good Strength and Force upon the Borders and Frontiers against Scotland, and to the End that Inhabitants and Tenants there might be better able and more encouraged for the Defence of the same Borders, when any Occasion should be
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' offered in that Behalf, all Charges of Subsidies and Taxes have
 ' been forborne to be laid or charged upon the said Inhabitants,
 ' and for like Respect it hath been heretofore also used in diverse
 ' Places within the Counties of *Northumberland, Cumberland, West-*
 ' *moreland* and the Bishoprick of *Durham*, that divers and a great
 ' Part of the Inhabitants there have enjoyed their Tenements and
 ' Farmholds in diverse favourable Sorts and Forms of Tenure; and
 ' for that the Queen's Majesty hath of late Years been oftentimes
 ' informed by Report and Certificate of her principal Officers
 ' having Charge of her Borders, that the force of her said Borders,
 ' both of Horlemen and Footmen, are greatly decayed, and likely
 ' daily to grow weaker by many Occasions, and among other by
 ' Decay and Ruin of sundry the Habitations of those Borders,
 ' whereby the Number of the ancient Inhabitants able for Service
 ' have been diminished, and that Part of the same Habitations, Te-
 ' nancies and Farms, have been reduced rather to pasturing of Cat-
 ' tle than to the Maintenance of Men of Service; and that also in
 ' some Parts the Tenants and Inhabitants themselves have dimi-
 ' nished their own Strength, by dividing their Houses and Farms,
 ' which were meet only for one able Householder and Family, into
 ' the Occupation of sundry Persons commonly being their Children
 ' or other Kinsfolks, so as by the Smallness and Meanness of the
 ' Holding, no one of them is able to furnish a Man for Service;
 ' and that also divers Owners and Tenants upon the Borders, have
 ' for more Gain than they could have of natural Subjects, letten
 ' their Lands or Feedings, or some Part thereof, to *Scottishmen*,
 ' thereby not only weakening the Strength of her Majesty's natural
 ' Subjects, but strengthening Foreigners:

II. For Remedy whereof, Be it enacted by the Authority of
 this present Parliament, That the Queen's Majesty shall and may
 from Time to Time, as need shall require, by Commission under
 the Great Seal of *England*, make and appoint such and so many
 Commissioners as to her Majesty shall be thought convenient,
 giving unto them, or Six of them, (whereof Two to be of the
Quorum), full Power and Authority in all and every of the said
 Counties of *Northumberland, Cumberland, Westmoreland* and the
 County Palatine of *Durham*, or in any one of them, or in any Part
 of any of them, to enquire by the Oaths of Twelve Men or more,
 or by other good Means according to their Discretions, what
 Tenancies and Houses of Habitations be since the Seven and twen-
 tieth Year of King *Henry* the Eighth ruined and decayed, and
 not held or occupied by Men able to serve as Horlemen or Foot-
 men, according to the ancient Duties of those Tenancies, and in
 like manner to examine and search out the just or probable Causes
 of those Ruins and Decays, and of the Wants and evil Furnitures
 of the said Horlemen and Footmen, and to give Order and Direction
 for Reformation thereof with all Speed reasonable; and to that
 End if it shall appear to the said Commissioners, or such Six of
 them as is aforesaid, that the Fault of the said Ruins or Decays
 have been only in the Lords and Owners, or their principal Offi-
 cers, or in the Officers and Farmers of her Majesty's Manors,
 Lands or Tenements, or any their Assigns, then the said Com-
 missioners, or such Six as is aforesaid, shall order, command and
 enjoin, as well her Majesty's Officers, Farmers or their Assigns, as
 others the Lords and Owners, and their Officers or Farmers, to
 re-edify

re-edify or repair the same Tenements and Houses of Habitation, and specially the capital Houses and Barnekins within a convenient Time at their own Charges, with restoring like Quantities of Lands thereunto, as with the same hath been occupied in the said Twenty seventh Year of King *Henry* the Eighth, and shall set Pains for every Default of such re-edifying or restoring in reasonable Time, not exceeding One hundred Marks for every such Default; and if they shall find Default of Furniture of the Tenants with Horse, Weapon or Armour, according to their Duties, then they shall by Persuasion in respect of the Queen's Majesty's Service, and the Defence of their native Country, treat with such Lords and other whom it may concern, and the Freeholders, Lessees or Tenants, for Order to be taken by their mutual Assents for the renewing and Continuance of the said Service, and for want of reasonable Conformity on either Part, may enjoin the said Lords and all others under them, and also all the Queen's Majesty's Officers, Farmers and their Assigns, to give such Help as the said Commissioners or such Six as aforesaid shall think fit, towards the enabling of the said Tenant or Tenants to be furnished according to the ancient Duty of the said Tenement, and to take Order how the said Tenant shall thereby be furnished and be able for Service, and so to see that the same be duly executed, and the said Commissioner shall take Bonds in good Sums to her Majesty's Use, of every such Person of whom it shall be requisite that the said ancient Duty of such Tenements respectively shall be furnished, kept and executed, on Pain of reasonable Forfeitures, not exceeding Forty Pounds for every Default, and shall assess Fines, and set down Pains for such Defaults or Wants of Furniture, as shall in that Behalf be requisite; and if the Unableness of the said Tenants shall be found to have grown, or to grow hereafter by their own Default or Wilfulness, without just Occasion, the said Commissioners, or such Six of them as is aforesaid, shall order, enjoin and direct the said Tenants within some reasonable speedy Time, to furnish themselves with Horse, Armour and Weapon, or with Armour and Weapon according to their ancient Usage, and their uttermost reasonable Ability, at their own Charges, without any Contribution of the Lords, but at their own good Wills, upon Pain to be expelled by the Lord, Owner or superior Farmers or their Assigns, which so expelling, shall place in such Holding or Farm another Tenant, that shall be furnished and ready for such Service as is aforesaid, or else shall within One Month give Notice to the Commissioners, or to the Warden of the same Marches, of his not placing of such Tenant, upon such Pain as the Commissioners, or such Six of them as is aforesaid, shall assess, not exceeding One hundred Marks, and the said Commissioners or Warden, after such Notice given, shall place one other Tenant sufficient for the Services aforesaid, and in her Majesty's Lands by the Officers of her Revenue, within some Time to be limited; and the said Landlords, Owners, superior Farmers or their Assigns, and also her Majesty's Officers to be also enjoined and bound upon some Pain to cause the same to be executed, and that a new Tenant shall be placed sufficiently furnished to hold the same: And further, where it shall appear that within the Space of Thirty Years any Tenement or Habitation of Household, which have maintained any Horsemen or Footmen, by ancient Usage

for Service toward the Frontiers, have been by the Tenants and Owners themselves, or by any other Means divided into fundry Habitations, or the Lands thereunto belonging distributed to other Tenants, whereby any one principal Tenement so divided, or the same Tenement with the Land therewith now occupied, shall not be able to maintain the Inhabitant thereof to be furnished according to the ancient Duty of Service, that in such Case the said Commissioners, or such Six of them as is aforesaid, shall take Order, that for the present Time, the Persons which shall have the Use and Profit of any Part of the same Tenements, or of the said Lands so withdrawn from the said principal Tenement during the Time of their present Terms, shall yearly contribute to the principal Tenant there residing, to be ready and furnished for the said Service, some reasonable yearly Aid by Money, or otherwise towards his Furniture meet for Service.

III. Provided always, That where the said Commissioners, or such Six as aforesaid, shall find that mean or Undertenants, having particular Estates over the Tertenant, (other than the Lords and Owners), have been Cause of any such Decay, in those Cases they shall order and compel all such Persons mean (which from under the Lord, unto the Base or Tertenant, shall be found to have been Cause of such Decay) to contribute towards the re-edifying or repairing of any Tenement ruined or decayed since the Time of their Interest in the Premises, and also to the Help of the Furniture of the Party so decayed; and shall also cause them to be bound during their particular Estates, to observe the Order of the said Commissioners, to be taken as is aforesaid, towards the said Tenants, Inhabitants and Service; and because divers Persons being Lords and Owners, and others also that have particular Estates under the said Lords and Owners, which are by the said Commissioners in divers Cases above mentioned to be charged with the Contributions above mentioned, may be absent out of the Parties where the said Commissioners shall have Authority to execute the said Commission, and shall not appear upon Summons and Precepts, and shall have no Lands or Tenements within the Jurisdiction of the said Commission, to satisfy such Pains or Amerciaments as shall be set upon them to perform their Order, in such Cases the Commissioners, or such Six of them as is aforesaid, shall estreat the same Pains and Amerciaments into the Exchequer, in like Manner as Justices of Peace ought to do for Fines and Amerciaments taxed or set before them; and thereupon the Barons and Court of Exchequer shall use all good Diligence to procure the levying thereof upon the Parties amerced, or that shall forfeit Pains in any Part of the Realm wheresoever the said Party shall remain; and upon the same answered by any Sheriff or other Officer, the same shall be payed by Order of the principal Officers of the said Exchequer, to the Commissioners or some of them, to be by them answered, to such to whom the same shall be due, without further Warrant from her Majesty for the same.

IV. Provided also, That where the Commissioners, or any such Six of them as aforesaid, shall find that any Thing is and ought to be done for the Furtherance of this Service, in any of the Premises in the Queen's Majesty's Charge, in respect of any her Lands, Lordships or Tenements, or of any Thing taken by any Officers of her Revenue, or by any other Person attending upon the

the said Officers or Ministers, or by any other Means to their own Use, in such Cases the said Commissioners, or such Six as aforesaid, shall certify to the Lord Treasurer, Chancellor and Barons of the Exchequer, their Directions and Orders concerning the Contributions by them reasonably thought meet to be made in her Majesty's Behalf, or by any her Officers or Ministers, to the Intent the said Lord Treasurer, Chancellor and Barons, or any Two of them, whereof the Lord Treasurer or Chancellor for the Time being to be one, shall on her Majesty's Behalf direct Warrants to her Majesty's Receivers of the said County, to make Payment and Allowance, according to the Order and Direction of the said Commissioners, without any other special Warrant from her Majesty for the same; and they shall also compel all other her Majesty's said Officers and Ministers, or their Deputies, that shall be ordered by the Commissioners as aforesaid, to make Contribution as is above said, to make Payment, and to satisfy the said Orders in like Sort and Manner as if the said Orders and Directions were decreed by the said Court of Exchequer.

V. Provided, That the said Commissioners, before they shall exercise the said Commission, shall be sworn before the Lord Chancellor of *England*, or before such to whom the Lord Chancellor shall direct a Writ of *Dedimus potestatem*, or before the Justices of Assize in the County where they shall sit, or before the Justices of Peace in the Quarter-Sessions in the said County, according to the Tenor of an Oath contained in a Statute of the Second and Third Years of the Reigns of King *Philip* and Queen *Mary*, made for the re-edifying of Castles, and strengthening of the Borders within the foresaid County (leaving out the Words 'and all Saints' expressed in the End of the said Oath); and that they shall have like Wages for themselves and Clerks, as is in the said Statute also expressed, and the same to be levied out of such Sums of Money as shall be assessed by the said Commissioners, according to the Provision contained in the foresaid Statute of the Second and Third Years of the Reigns of King *Philip* and Queen *Mary*, for the Allowance of the like Commissioners appointed to execute the said Statute. 2 & 3 P. & M. c. 1.

VI. Provided also, That they shall have the like Authority to make and direct Writs, Precepts, Warrants and other Commandments, to all Sheriffs, Bailiffs, Stewards and all other Ministers, Officers and Persons, to appear before them, and to execute their Commandments, and shall in all Causes have like Authority to execute this Commission warranted by this Statute, as by the said Statute of the Second and Third Years of King *Philip* and Queen *Mary* was given for the Execution of the said Statute; and that the like Commissions shall be made in Causes requisite by the Chancellor and Officers of the Duchy of *Lancaster*, and by the Bishop of *Durham*, in the County Palatine of *Durham*, respectively, according as is mentioned in the foresaid Statute of the Second and Third Years of the Reigns of King *Philip* and Queen *Mary*, for Commissions to be made by them for Execution of the said Statute.

VII. Provided, That the aforesaid Commissioners shall not by any their Order or Direction, intermeddle with any Lands of her Majesty, or of any other Person that are presently in Lease or Demise, or granted by Deed indented in Writing, or by Copy

of Court Roll within any Manor, where of ancient Time the Custom hath been to grant the same Lands by Copy of Court Roll, but that the same Lessees by Indenture, and Copyholders, shall continue at the Pleasure of the Lessors or the Granters of the said Copy, or their Heirs, as before the making of this Statute they might have done, and yet if heretofore the said Lands so leased by Demise, or granted by Copy of Court Roll, shall appear to have been chargeable to Service, and that the ancient Tenants thereof have usually done Service for the Borders, and in the said Indentures or Copies, or in the Court Roll whereof the same are Copies, there be no Covenants or Clauses, nor otherwise any Bonds taken for the said Services to be done and performed; in these Cases, for reviving or furtherance of the said Service, the said Commissioners, or such Six of them as is aforesaid, shall upon due Examination first had, and Trial made, take Order either with the Lords and Lessors, or with their Officers, or with their Tenants, or with both of them, to cause any Tenements ruined or decayed, to be re-edified or repaired, as is before limited; and also to cause the said Service or Services to be revived and maintained for the Defence of the said Borders, either by special Covenants to be contained in Writing betwixt the said Lord and Tenant, or otherwise.

VIII. Provided also, and be it enacted by the Authority of this Parliament, That all Orders to be set down by the said Commissioners by virtue of this Statute, and by Authority of the said Commission or Commissions, or any of them, shall stand and be in force to continue, except the same shall be by themselves or such Number of them as is above limited, or by other Commissioners authorized by her Majesty, according to the Form of this Act, upon Examination and good Consideration, and upon calling all Persons interested before them to be heard, otherwise altered or changed in the Whole or in Part.

IX. Provided also, That hereafter all Farmers or Lessees, that shall have Interest hereafter in any Lands, Tenements or Hereditaments, within the said Counties of *Northumberland*, *Cumberland*, *Westmoreland* and the Bishoprick of *Durham*, or in any one of them, by virtue of any new Lease to be made after the End of this Session of this Parliament, shall personally dwell upon the said Lands and Tenements, being Houses of Habitation, or else shall personally be resident and dwelling in and upon some other House and Habitation within one of the said Counties, and shall appoint and assign a meet Person to inhabit upon the said Farm or Tenement so demised, in such Sort as the Inhabitant may reasonable live thereupon, according to the Quality of the Farm, and shall perform the said Service; and if the said Farmer shall depart out of the said Counties, to dwell or reside in any other Place, he shall, within one Twelve Months after his Departure, surrender his said Farm to him or them that then shall have the immediate Reversion or Remainder, so as he may demise the same to the aforesaid Inhabitant afore assigned, or to some other to be resident and dwell thereupon, and keep Hospitality meet for the Quality of the said Farm, for the better replenishing of the said Countries with People, or else it shall be lawful for him or them that shall have the immediate Reversion or Remainder, after such Twelve Months, and his

his Absence continuing so long, to re-enter as though the said Lease were determined.

X. And be it enacted, That upon Cause notoriously given by any Lords or Owners, or their Officers, or by any her Majesty's Officers, Farmers or their Assigns, to the Hinderance of the said Service as is aforesaid, and upon Complaint made thereof to her Majesty, or to her Commissioners, or any of them, or to the Wardens of the Borders, the said Commissioners, or such Six of them as is aforesaid that then shall have their Commission in force, or in Default of such Commission then being in force, such other Commissioners, to whom the Queen's Majesty shall and may upon the said Complaint or Certificate from the Warden, direct a new Commission to the like Sort and Number of Commissioners, as in this Statute is expressed, shall examine the Cause or Complaint of the Certificate, and shall take Order betwixt the Lord and the Tenant, that by repairing of the same Habitation, and other Helps above said, the Tenant may be able, bounden and charged to inhabit the same Tenement, and do the Service upon the Borders, according to his Tenure.

XI. Provided also, That this present Statute shall continue during her Majesty's Life only, (which God long preserve).

XII. Be it also further enacted by the Authority aforesaid, The one Act and Statute made at the Parliament holden at *Westminster*, in the Second and Third Years of the Reigns of the late King *Philip* and Queen *Mary*, intituled, *An Act for the re-edifying of Castles and Forts, and for the inclosing of Grounds upon the Borders towards Scotland*, and every Article, Branch, Clause and Sentence therein contained, except the said Words 'and all Saints,' shall be from henceforth fully revived, and shall have Continuance for and during the Term of Twenty Years next ensuing the last Day of this present Session of Parliament, and from thenceforth to the End of the Parliament then next following; and that the same Act and Statute in every Behalf shall from thenceforth be interpreted and expounded to extend as fully and largely to the Queen's Majesty that now is, her Heirs and Successors, during the said Time; for the good Execution of the same, as ever it did, or was meant to extend to the said late King *Philip* and Queen *Mary*; any Thing to the contrary notwithstanding.

XIII. Provided nevertheless, and considering that the special Purpose of the Premises in this Act contained, is to have the People and Inhabitants of the said Counties of *Northumberland*, *Cumberland* and *Westmoreland*, and of the said County Palatine of the Bishoprick of *Durham*, which of ancient Time were accustomed, and by the Customs of the said Counties are or ought to serve on Horseback or on Foot, for Defence of the Frontiers, to be able for Service, and to be ready furnished for the said Service;

XIV. Therefore be it enacted, That if the Lord and Owner of any Tenement, or Place of Habitation or Farm, whereupon any such Tenant bound by such Custom to serve, doth now dwell, or where at any Time since the xxvii. Year of King *Henry* the Eighth, any such Tenant bound by Custom to such Service did dwell, shall place and cause to inhabit thereupon a Tenant able to serve on Horseback or on Foot, according to the ancient Custom of the same Tenement or Farm, and so for that Purpose to be always, when need shall require, furnished for the said Service requisite;

quisite; in such Case, the said Commissioners [shall not by virtue of this Act intermeddle betwixt the Lord or Owner and the Tenant, but that it may be lawful for the said Lord or Owner therein, to grant to his Tenant such State, and in such Sort, as lawfully he might have done before the making of this Statute, so as the said Tenant be as above is said, able and ready with Furniture to do his accustomed Service, when Time shall require, for Defence of the Frontiers.

[*Repealed, 4 Jac. I. c. I. § 8.*]

C A P. V.

An Act touching Iron Mills near unto the City of *London*, and the River of *Thames*.

‘ WHEREAS by reason of the late Erection of fundry Iron Mills in divers Places of this Realm not far distant from the City of *London* and the Suburbs of the same, or from the Downs and Sea Coasts of *Suffex*, the necessary Provision of Wood, as well Timber fit for building and other Uses, as also all other fellable Wood serving for Fuel, doth daily decay and become scant, and will in Time to come become much more scarce; by reason whereof the Prices are grown to be very great and unreasonable, and in Time to come will be much more, if some Remedy be not provided, to the great Damage not only of the Inhabitants of the said City of *London* and the Suburbs of the same, but also to all others the Queen’s Majesty’s most loving Subjects, having Occasion daily from all Parts of the Realm to repair unto the same and the Places abovesaid:’ For Remedy whereof, be it therefore enacted by the Queen’s most Excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament here assembled, and by the Authority of the same, That no Person or Persons from and after the Feast-Day of the Nativity of *St. John the Baptist* next coming, shall convert or employ, or cause to be converted or employed, to Coal or other Fewel for the making of Iron, or of Iron Metal, in any Iron Mills, Furnace or Hammer, any Manner of Wood or Underwood now growing, or which hereafter shall grow, within the Compass and Precinct of Two and twenty Miles from and about the City of *London* or the Suburbs of the same, or within Two and twenty Miles of the River of *Thames*, from *Dorchester* in the County of *Oxford* downwards the said River of *Thames*, nor within Four Miles of the Foot of the Hills called the *Downs*, betwixt *Arundel* and *Pemsey* in the County of *Suffex*, nor within Four Miles of any of the Towns of *Winchelsey* and *Rye*, nor within Two Miles of the Town of *Pemsey*, nor within Three Miles of the Town of *Hastings* in the said County; upon Pain to forfeit for every Load of Wood so to be employed or converted into Coal or other Fewel for the making of Iron or Iron Metal, in any Iron Mill, Furnace or Hammer, as is aforesaid, Forty Shillings of lawful Money of *England*; the One Half of all which Forfeitures to be to our Sovereign Lady the Queen’s Majesty, and to her Heirs and Successors, and the other Moiety to him or them that will sue for the same, by Original Writ, Bill, Plaint or Information, wherein no Essoin, Protection or Injunction, or Wager of Law shall be admitted or allowed.

Converting
Underwood, &c.
to Fewel.

Penalty.

II. Provided

II. Provided always, That this Act shall not extend to any Woods growing or to grow in any such Part of the Weilds of *Surrey, Suffex or Kent*, within the said Twenty two Miles of the said City of *London* and the River of *Thames*, as is distant above Eighteen Miles from the City of *London*, and Eight Miles from the said River of *Thames*. Woods in Weilds of Surrey, &c.

III. And be it likewise further enacted, That from henceforth no new Iron Works shall be erected within Twenty two Miles of the said City of *London*, nor within Fourteen Miles of the River of *Thames*, nor within Four Miles of the *Downs* aforesaid, or of the said Towns of *Pemsey, Winchelsey, Hastings or Rye*, upon Pain of One hundred Pounds of lawful Money of *England*, likewise to be recovered and employed as is aforesaid. New Iron Works. Penalty.

IV. Provided also, That this Act, nor any Thing therein contained, shall extend to any Woods or Underwoods now standing or growing, or which hereafter shall stand or grow, in or upon any Lands of *Christopher Darrell* Gentleman, in the Parish of *Newdigate*, within the Weild of the County of *Surrey*; which Woods of the said *Christopher* have heretofore been and be by him preserved and coppised for the Use of his Iron Works in those Parts. Woods of Christopher Darrell.

[See further, 27 Eliz. c. 19.]

C A P. VI.

An Act for the repairing of *Dover Haven*. EXP.

C A P. VII.

An Act for the Increase of Mariners, and for Maintenance of Navigation.

WHERE the Merchants and Fishmongers of divers Places of this Realm have for their private Gains gone and sent into other Countries and foreign Realms, and there ingrossed into their Hands great Numbers and Quantity of Fish taken by Aliens and Strangers, being in Goodness far inferior to the Fish taken by *Englishmen* in the *Iceland* Voyages, and for the buying of the same Fish, have conveyed and carried great Masses of Money forth of this Realm, and have victualled and furnished this Realm with foreign Fish and Herring, the Subjects whereof have been accustomed in Times past to serve the same with Fish and Herrings gotten by their own Travel, and diverse other foreign Regions and Countries; by reason of which unnatural Dealings of the said Merchants and Fishmongers, and usual eating of Flesh on the accustomed and usual Fish Days, there be of late decayed not only the Number of Two Hundred Sail and more, of good and serviceable Ships, which yearly traded to *Iceland* for taking of Fish, in this Realm usually sold, but also a great Number of Mariners and Seamen, fit for the Service of her Majesty and her said Realm, for the Defence thereof in Time of Wars:

II. For Redress whereof, Be it enacted by the Queen's Majesty our Sovereign Lady, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and the Authority of the same, That it shall not be lawful to any native *Englishman*, Woman

Woman or Denizen, at any Time after the End of this Session of this Parliament, directly or indirectly, by themselves, their Servants, Factors, Agents, Deputies or Friends, or any of them whatsoever, to go or send into any other foreign Country, Realm or Dominion whatsoever, for the buying, providing or bringing into this Realm, out or from any the said foreign Realms or Dominions out of the Queen's Obeisance, of any salted Fish, or salted Herrings, nor shall make any Agreement with any Alien or Stranger, or any other for such bringing into this Realm, by any Alien or Stranger, of any salted Fish or salted Herrings; and that no salted Fish, nor salted Herrings, shall be brought hither out of the said foreign Realms and Dominions, but by the mere Owners thereof, or Deputies of them, being Aliens and Strangers, without the Procurement of any Subject of the Queen's Majesty, her Heirs or Successors, or of any Denizen, and by none other Person or Persons, upon Pain that such *English* Person or Denizen, offending against this Act, shall forfeit the same salted Herrings, and salted Fish, or the Value thereof, the one Moiety whereof shall be to the Queen's Majesty, her Heirs and Successors, and the other Moiety to him or them that shall first seize the same Fish or Herrings, or first sue for the Value thereof, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection or Wager of Law shall be allowed.

III. And be it further enacted by the Authority aforesaid, That it shall be lawful for all and every her Majesty's Subjects, being Owners of any Ships, Barks or Vessels, to receive and take into their said Ships, Barks and Vessels sailing with Cross Sails, any Herrings or other Fish, which any Alien or Stranger shall buy and provide, of any her Majesty's Subjects within this Realm; and the said Herrings and Fish, or any of them, may transport into any Parts beyond the Seas, in their said Ships or Vessels with Cross Sails, so as the said Aliens or Strangers pay to her Majesty her Customs and Duties for the same.

IV. And be it further enacted, That all Aliens and Strangers shall from henceforth, and from Time to Time, pay to her Majesty for all salted Fish and salted Herring to be brought into this Realm, all such like Customs and Impositions, as are or shall be imposed and set upon any her Majesty's Subjects in those foreign Regions and Countries, Ports and Towns, from whence the said salted Fish and salted Herrings shall be shipped and brought for the like Fishes and Herrings, over and besides the ordinary Customs which have been paid to her Majesty for the same.

V. Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons shall do, suffer, cause or procure any fraudulent, deceitful or colourable Act whatsoever, whereby any Part of this Act before mentioned shall or may be colourably, fraudulently or deceitfully avoided or frustrated, contrary to the Intent thereof, that then every Person so offending shall forfeit and lose for every such his Offence the Sum of Two hundred Pounds, the one Moiety whereof shall be to our Sovereign Lady, her Heirs and Successors, and the other Moiety to him or them that will sue for the same in any Court of Record, by Bill, Plaint or Information, wherein no Essoin, Protection or Wager of Law shall be allowed; and that if any Alien or Stranger shall wilfully conceal any Act or Thing whatsoever, to be done to the deceiving, colouring

ing or defrauding of any Branch or Article of this Estatute before mentioned, that then every such Alien and Stranger shall forfeit and lose for such Offence to the Queen's Majesty his Ship and Vessel, and all that thereunto appertaineth, to be seized to her Majesty's Use, by any her Majesty's Subjects: And moreover, that if any Alien or Stranger born, shall bring into any Haven, Port, Creek or Town of this Realm, any salt Fish, or salt Herrings, which shall not be good, sweet, seasonable and meet for Mens Meat, and shall offer the same to be sold, and shall be warned by any Officer of such Port, Haven or Town, (where the same shall be offered to be sold), that the same be not seasonable nor meet for Mens Meat, that then if he or they with their said Fish shall after that, offer any of the said unseasonable Fish to be sold to any Person within this Realm, or shall not depart with the same from the said Haven, Port or Town, so soon as Conveniency will serve, that then all and every Person Owners thereof, shall lose and forfeit to our said Sovereign Lady all the said unseasonable Fish unmeet for Man's Meat, as before is said.

VI. Provided always, That this Act, or any Thing therein contained, shall not extend or be prejudicial to any providing or bringing of Fish in or out of the Country of *Iceland*, *Shetland* or *Newfoundland*, or any the Parts or Seas thereto adjoining, or on the *Scottish* Seas, nor to any Fish that shall be killed, taken and salted by the Queen's natural Subjects; any Thing in this Act to the contrary notwithstanding.

VII. Provided also, That it shall be lawful for all the Queen's Subjects now using the Trade of bringing in of staple Fish and Lings from beyond the Seas, to bring in *English* Bottoms into this Realm, for the better Supply of present furnishing of this Realm with Victual, all Manner of staple Fish and Lings being good and wholesome for Man's Body, during the Space of Three Years next following the End of this Session of Parliament; any Thing in this Act to the contrary notwithstanding.

VIII. And be it likewise enacted, That all Ordinances of the Fishmongers of *London*, or of any other Company or Corporation whatsoever, made or to be made, for Restraint of any Person to take or sell Fish, or to buy or provide any Fish of any Merchant, or other within this Realm, shall be repealed and void; and that every Person or Body Corporate that shall make or execute any such Ordinance or Restraint, shall for every such Offence forfeit One hundred Pounds, the one Moiety thereof to the Queen's Majesty, her Heirs and Successors, and the other Moiety to the Party grieved that will sue for the same, by Action of Debt, in any Court of Record, wherein no Effoin, Protection or Wager of Law for the Defendant shall be admitted or allowed.

[Repealed, 39 Eliz. c. 10. § 2.]

C A P. VIII.

An Act touching the true melting, making and working of Wax.

‘ WHERE by the Goodness of God this Land doth yield great Plenty of Honey and Wax, as not only hath and doth suffice the necessary Uses of the Queen's Majesty and her Subjects, to be spent within this Realm, but also a great Quantity

‘city to be spared, to be transported unto other Realms and
 ‘ Countries beyond the Seas, by way of Merchandize, to the great
 ‘ Benefit of her Majesty and the Realm; and yet nevertheless, a
 ‘ great Part of the Wax made and melted within this Realm hath
 ‘ been found to be of late very corrupt, by reason of the deceitful
 ‘ Mixture thereof, and the Makers and Sellers of Honey also have
 ‘ not only used to put the said Honey in Cask of deceitful Assise,
 ‘ but have used also deceitful Mixtures of the same;’ Be it there-
 fore enacted by the Authority of this present Parliament, That
 every Person within this Realm or the Dominions of the same,
 which shall after the Feast of *Pentecost* next ensuing, in the making
 and melting of Wax, by any Way or Means use or practise, or
 cause to be used or practised, any Manner of Deceit, by mixture
 and mingling the same with Resin, Tallow, Turpentine or any
 other deceitful Thing, to the Intent to sell and utter the same,
 or offer the same to be sold or uttered for Wax, to any Person or
 Persons whatsoever, shall forfeit and lose the same mingled or cor-
 rupted Wax; and if the same corrupted Wax shall happen to be
 sold before such Fault and Corruption shall be found, that then
 the said Melter, Mingler or Corrupter, Caufer or Procurer there-
 of, shall forfeit for every Pound Two Shillings, whereof the One
 Half to the Queen’s Majesty, the other Half to the Party de-
 ceived, if he will sue for it, or any other Person or Persons that
 will sue for the same in any of the Queen’s Majesty’s Courts of
 Record.

Mixture in
making Wax, &c.

Penalty.

Penalty.

Melter of Wax
to have a Mark.

II. And to the Intent that the Offenders in those Kinds of
 Deceit may be the better and sooner known and found out, Be it
 enacted by the Authority aforesaid, That every Melter and
 Maker-up of unwrought Wax shall have for himself a Stamp or
 Mark of the Breadth of Six Pence, wherein Two Letters shall
 be plainly graven, signifying his Name and Surname, and with the
 same shall stamp every Piece of Wax, to be printed or stamped
 triangle in Three Places upon the Outside of the upper Part of
 every Piece so melted and cast, upon the Pain to forfeit the Value
 of every Piece or Cake sold or offered to be sold, and not so
 stamped or marked.

Penalty.

Wrought Wax
to be marked, &c.

III. And be it further enacted by the Authority aforesaid,
 That no Manner of Person ne Persons within this Realm, or the
 Dominions thereof, shall from the said Feast of *Pentecost* melt,
 mix, work or sell any manner of wrought Wax, Stuff or Wares
 wrought with Wax, as in Lights, Staff-Torches, Red Wax or
 Sealing Wax, Book-Candle, Searing-Candle, Searing of dead
 Corps, Links, Green Wax, Red Wax, or any other Work or
 Thing whatsoever, to be done or wrought with Wax to be put to
 Sale, but with good, wholesome, pure and convenient Stuff, meet
 in such Wares or Work in convenient Quantity to be used; and
 that every Person or Persons that shall work or sell such Stuff or
 Wares of Wax, have a Mark, Stamp or Seal, to set on his or their
 Work by him or them wrought or sold, to the Intent that if any
 Deceit be used or done, it may be known who were the Workers
 thereof; and such Person or Persons as shall be found or known
 to work or sell, or to Sale put, any such false Wax or Wares
 wrought with Wax to be put to Sale, shall forfeit and lose the
 same corrupted or deceitful Wax and Wares; the One Half to be
 to the Queen’s Majesty, her Heirs and Successors, and the other

Deceitful Wax.

Penalty.

to the Party deceived, if he shall sue for the same; or otherwise to him or them that will sue for the same by Action of Debt, Bill, Plaint or Information in any the Queen's Majesty's Courts of Record, wherein no Effoin, Protection or Wager of Law shall be allowed.

IV. And be it further enacted by the Authority aforesaid, That every Person and Persons whatsoever, which after the Feast of *Pentecost* next aforesaid shall sell, or offer to be sold, any corrupted and false mingled Wax, shall lose and forfeit the said Wax, the one Moiety thereof to be to the Queen's Majesty, and the other to the Party deceived, if he shall sue for the same; or otherwise to him or them that will sue for the same as is aforesaid: And that all Barrels, Kilderkins and Firkins, filled with Honey by the Maker and Filler, shall be marked with Two Letters, standing for his Name and Surname, each Letter of an Inch and a Half of Length at the least, burnt upon the Head of the Cask with a hot Iron; upon the Pain to forfeit Six Shillings Eight Pence for every Barrel, Kilderkin, Firkin or Cask, sold or offered to be sold, and not so marked: And that if any Person or Persons do or shall after the Four and Twentieth Day of *August* next coming after the End of this Session of Parliament, fill and sell, or cause to be filled or sold, or offered to be sold, any Barrel, Kilderkin or Firkin with Honey, for or in the Name of a Barrel, Kilderkin or Firkin, containing less than Two and Thirty Wine Gallons the Barrel, Sixteen Wine Gallons the Kilderkin, and Eight Wine Gallons the Firkin; every Person and Persons so offending shall forfeit and lose for every Half Gallon so lacking, Five Shillings of *English* Money: And every Person and Persons that shall corrupt the Honey so sold or to be sold with any deceitful Mixture, shall forfeit the Barrel or Vessel, and Honey therein contained; the one Moiety whereof to be to our said Sovereign Lady the Queen's Majesty, and the other to him or them that will sue for the same as aforesaid.

Working, &c.
corrupted Wax

Penalty.

Vessels of Honey
marked.

Penalty.

Content of
Vessels.

Penalty.

Corrupting
Honey.

Penalty.

Selling Wax of
their own Bees.
Servants.

V. Provided always, That this Act as touching the making of Wax shall not extend to any Person or Persons selling the Wax of their own Bees in open Markets in small Pieces; nor to any Servant or Servants, or other Persons mingling or corrupting any Wax by Commandment of their Master or other Person having Authority over them, so as they will confess the same.

VI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time hereafter counterfeit any the Marks above mentioned, or shall set to the Mark or Marks of any other Person or Persons, without the Consent of the same Person or Persons whose Names the said Marks shall signify; that every such Offender in the Premises shall forfeit for every such Default Five Pounds; the one Moiety thereof to be to the Queen's Majesty, her Heirs and Successors, and the other Moiety to the Party deceived, if he will sue for the same; or otherwise to any other Person or Persons that shall sue for the same by Bill, Action or Information, in any of the Queen's Courts of Record, wherein no Effoin, Protection or Wager of Law shall be admitted or allowed for the Defendant: And for Non-sufficiency of Payment thereof, to be set on the Pillory in the next Market Town to the Place where such Offence shall be committed, and to suffer Three Months Imprisonment, without Bail or Mainprize, for every Offence committed contrary to this Article of this present Act.

Counterfeiting
Marks, or marking
with another's
Mark.

Penalty.

Imprisonment.

C A P. IX.

An Act for the abolishing of certain deceitful Stuff used in the dying of Cloth.

• **W**HEREAS of late Years there hath been brought into this Realm of *England* from beyond the Seas a certain Kind of Ware or Stuff called Logwood, *alias* Blockwood, where- with divers Dyers, Clothiers, Hat-Makers and others, have and do dye daily divers Broad Cloths, Kerfies, Wools, Penneftones, Bays, Cottons, Hofs-Yarn, Hats, Caps, Flannels, Woodmalls, Mockadoes, Rashes, Buffins, Tuft Mockadoes and other Things : Forasmuch as the Colours made with the said Stuff called Logwood, *alias* Blockwood, is false and deceitful, and the Clothes and other Things therewith dyed are not only sold and uttered, to the great Deceit of the Queen's loving Subjects within this Realm of *England*, but also beyond the Seas, to the great Discredit and Slander as well of the Merchants as of the Dyers of this Realm :

“ Logwood shall be forfeited, openly burned, and no Cloth or Wool shall be dyed therewith. § 2.

[*Section 2. repealed, 13 & 14 Car. 2. c. 11. § 26. The rest of the Act repealed, 49 G. 3. c. 109. § 1.*]

C A P. X.

An Act for the Preservation of Pheasants and Partridges.

• **W**HERE the Game of Pheasants and Partridges is within these few Years in Manner utterly decayed and destroyed in all Parts of this Realm, by means of such as take them with Nets, Snares and other Engines and Devices, as well by Day as by Night, and also by Occasion of such as do use Hawking in the Beginning of Harvest, before the young Pheasants and Partridges be of any Bigness, to the great Spoil and Hurt of Corn and Grass then standing and growing in the Fields :

II. For Reformation thereof, Be it enacted, established and ordained, by the Queen our Sovereign Lady, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That no Manner of Person or Persons, of what Estate, Degree or Condition soever, shall at any Time or Times, from and after the First Day of *April* next ensuing, take, kill or destroy any Pheasants or Partridges with any Manner of Nets, Snares, Gins, Engines, Row-string, Lowffing or other Devices whatsoever, in the Night-time ; upon Pain of Forfeiture for every Pheasant so taken, killed or destroyed, contrary to the true Meaning of this Act, the Sum of Twenty Shillings ; and for every Partridge so taken, killed or destroyed, the Sum of Ten Shillings ; the which said Penalties and Forfeitures, if every Person or Persons so offending do not pay within Ten Days next after his or their Conviction, then to have one Month's Imprisonment, without Bail or Mainprize ; and further, over and besides such Forfeiture or Imprisonment, to put in Bond with good Sureties for the Space of Two Years, that he shall not take, kill or destroy any Partridges or Pheasants, contrary to the true Meaning of this Act ; the same Bond to be taken by some Justice of the Peace of the County where the said Offence shall

Taking, &c.
Pheasants, &c.
in the Night.

Penalty.

Penalty.

Imprisonment.

shall be committed: The One Half of all which said several Forfeitures to be to the Chief Lord or Lords of the Liberties, Lordships or Manors, upon and in which the same shall be so taken, killed or destroyed, and the other Moiety to such Person or Persons as will sue for the same in any of her Majesty's Courts of Record, by Bill, Plaint or Information; in which Suit no Effoin, Protection or Wager of Law shall be allowed.

III. Provided always, That if such Person to whom One Half Provide. of the said Forfeiture is appointed for the taking, killing or destroying of Partridges or Pheasants, contrary to the Tenor and true Meaning of this Act, shall dispense with, license or procure any taking, killing or destroying of any Partridges or Pheasants, contrary to the Form of this Act; that then all such Forfeitures and Penalties as such Person or Persons should have by virtue of this Act, shall be to the Poor of the Parish where such taking, killing or destroying shall be committed, and that to be levied or recovered in Manner and Form aforesaid, by any one of the Churchwardens of the Parish where the Offences shall be committed.

IV. And be it likewise further enacted by the Authority aforesaid, That no Manner of Person or Persons from and after the said Hawking, &c.
in standing Corn. First Day of April shall hawk, or with his Spaniels hunt, in any Ground where Corn or other Grain shall then grow, (except it be in his own Ground), at such Time as any eared or coddled Corn or Grain shall be standing and growing upon the same, nor before such Time as such Corn and Grain shall be shocked, cocked, hilled or copped; upon Pain of Forfeiture for every Time that he shall Penalty. so hawk or hunt as aforesaid, (without the Consent of the Owner of the Corn or Grain), to such Person or Persons as shall be Owner of the said eared or coddled Corn or Grain, Forty Shillings, and the same to be levied or recovered in Manner and Form aforesaid.

V. Provided always, and be it further enacted by the Authority aforesaid, That the Justices of Assizes in their Circuits, and Justices of the Peace in every Shire, County and Town Corporate within this Realm, in their Sessions, within the several Limits of their Commission, and Stewards of Leets, Liberties and Lawdays, within their several Jurisdictions, shall and may by virtue hereof, hear, enquire and determine of all and every Offence or Offences which shall be committed within the Precinct of their Liberties, Jurisdictions or Franchises against the Tenor of this Act: And Who may determine Offences. further, That every Justice of the Peace within every County of this Realm, shall within the Limits of his Commission have Power and Authority by virtue hereof, to examine all Offenders in the Premises within the County where he is or shall be Justice, if so be that the said Offence or Offences shall not before be heard or determined by the Justices of Assize in their Circuits, or by the Stewards of Leets, Liberties or Lawdays within their said several Jurisdictions; and also to take Bond with good Sureties for his and their Appearance that shall so offend, to appear at the next General Sessions of the Peace to be holden within the same County where the same Offence shall be committed, to answer the said Offence and to pay the Penalties, or receive the Punishment by this Act appointed or limited. Justice may examine Offender, and bind him to appear.

VI. Provided

Proviso for
Pheasants, &c.
let go again.

VI. Provided always, That this Act shall not in any wise extend to Lowbellers, Tramellers or others, which shall unwillingly happen to take any Partridges or Pheasants by Night under any Tramel, Lowbel, Roadnet or other Engine, so as they and every of them do presently loose and let go every Pheasant and Partridge so taken, and suffer them presently to fly and go at large at the Place where they shall happen so to be taken, without willingly killing, or wilfully hurting any such Pheasant or Partridge so taken in any Manner of Sort; any Thing in this Act contained to the contrary notwithstanding.

C A P. XI.

An Act for the Re-edifying of *Cardiff* Bridge, in the County of *Glamorgan*.

[*Repealed*, 1 *Ann. Stat.* 1. c. 18. § 10.]

C A P. XII.

23 *Eliz.* c. 23.

An Act for an Addition to a former Act made *Anno* 13 of her Majesty's Reign, for the paving of a Street without *Aldgate*, leading to her Highness Storehouses at the *Minories*, and other Places.

C A P. XIII.

An Act for the Inning of *Earith* and *Plumstead* Marsh.

[See 27 *Eliz.* c. 27. 4 *Jac.* 1. c. 8.]

C A P. XIV.

An Act of a Subsidy granted by the Clergy. EXP.

C A P. XV.

An Act for a Subsidy and Two Fifteens granted by the Temporality. EXP.

C A P. XVI.

An Act for the Queen's Majesty's most gracious, general and free Pardon.

[*Note.*—These last Three Acts are not numbered on the Roll.]

Anno vicefimo feptimo Reginae ELIZABETHÆ.
(A.D. 1585.)

STATUTES made in the Parliament begun and holden at Westminster the Three and twentieth Day of November in the Seven and twentieth Year of the Reign of our Sovereign Lady ELIZABETH, by the Grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c. viz.

C A P. I.

An Act for Provision to be made for the Surety of the Queen's Majesty's most Royal Person, and the Continuance of the Realm in Peace.

FORASMUCH as the good Felicity and Comfort of the whole Estate of this Realm consisteth (only next under God) in the Surety and Preservation of the Queen's most excellent Majesty; and for that it hath manifestly appeared, that sundry wicked Plots and Means have of late been devised and laid as well in foreign Parts beyond the Seas, as also within this Realm, to the great endangering of her Highness most Royal Person, and to the utter Ruin of the whole Commonweal, if by God's merciful Providence the same had not been revealed: Therefore, for preventing of such great Perils as might hereafter otherwise grow, by the like detestable and devilish Practices, at the humble Suit and earnest Petition and Desire of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same Parliament, Be it enacted and ordained, If at any Time after the End of this present Session of Parliament, any open Invasion or Rebellion shall be had or made into or within any of her Majesty's Realms or Dominions, or any Act attempted tending to the Hurt of her Majesty's most Royal Person, by or for any Person that shall or may pretend any Title to the Crown of this Realm after her Majesty's Decease; or if any Thing shall be compassed or imagined, tending to the Hurt of her Majesty's Royal Person, by any Person, or with the Privy of any Person that shall or may pretend Title to the Crown of this Realm; that then by her Majesty's Commission under her Great Seal, the Lords and others of her Highness Privy Council, and such other Lords of Parliament to be named by her Majesty, as with the said Privy Council shall make up the Number of xxiiij. at the least, having with them for their Assistance in that Behalf such of the Judges of the Courts of Record at Westminster as her Highness shall for that Purpose assign and appoint, or the more Part of the same Council, Lords and Judges, shall by virtue of this Act have Authority to examine all and every the Offences aforesaid, and all Circumstances thereof, and thereupon to give Sentence or Judgment, as upon good Proof the Matter shall appear unto them; and that after such Sentence or Judgment

given, and Declaration thereof made and published, by her Majesty's Proclamation under the Great Seal of *England*, all Persons against whom such Sentence or Judgment shall be so given and published shall be excluded and disabled for ever to have or claim, or to pretend to have or claim the Crown of this Realm, or any of her Majesty's Dominions, any former Law or Statute whatsoever to the contrary in any wise notwithstanding; and that thereupon all her Highness Subjects shall and may lawfully, by virtue of this Act, and her Majesty's Direction in that Behalf, by all forcible and possible Means pursue to Death every such wicked Person, by whom or by whose Means, Assent or Privy any such Invasion or Rebellion shall be in Form aforesaid denounced to have been made, or such wicked Act attempted, or other Thing compassed or imagined against her Majesty's Person, and all their Aiders, Comforters and Abettors.

II. And if any such detestable Act shall be executed against her Highness most Royal Person, whereby her Majesty's Life shall be taken away (which God of his great Mercy forbid), that then every such Person, by or for whom any such Act shall be executed, and their Issues being any wise assenting or privy to the same, shall by virtue of this Act be excluded and disabled for ever to have or claim, or to pretend to have or claim the said Crown of this Realm, or of any other her Highness Dominions, any former Law or Statute whatsoever to the contrary in any wise notwithstanding.

III. And that all the Subjects of this Realm, and all other her Majesty's Dominions, shall and may lawfully by virtue of this Act, by all forcible and possible Means, pursue to Death every such wicked Person, by whom or by whose Means any such detestable Act shall be in Form hereafter expressed denounced to have been committed, and also their Issues being any way assenting or privy to the same, and all their Aiders, Comforters and Abettors in that Behalf.

IV. And to the End that the Intention of this Law may be effectually executed, if her Majesty's Life shall be taken away by any violent or unnatural Means (which God defend), be it further enacted by the Authority aforesaid, That the Lords and others which shall be of her Majesty's Privy Council at the Time of such her Decease, or the more Part of the same Council, joining unto them for their better Assistance Five other Earls, and Seven other Lords of Parliament at the least, (foreseeing that none of the said Earls, Lords or Council be known to be Persons that may make any Title to the Crown,) those Persons which were Chief Justices of either Bench, Master of the Rolls, and Chief Baron of the Exchequer at the Time of her Majesty's Death, or in Default of the said Justices, Master of the Rolls and Chief Baron, some other of those which were Justices of some of the Courts of Record at *Westminster* at the Time of her Highness Decease, to supply their Places, or any xxiiiij. or more of them, whereof Eight to be Lords of Parliament, not being of the Privy Council, shall to the uttermost of their Power and Skill examine the Cause and Manner of such her Majesty's Death, and what Persons shall be any way guilty thereof, and all Circumstances concerning the same, according to the true Meaning of this Act, and thereupon shall by open Proclamation publish the same, and without any Delay, by
all

all forcible and possible Means, prosecute to Death all such as shall be found to be Offenders therein, and all their Aiders and Abettors; and for the doing thereof, and for the withstanding and suppressing of all such Power and Force as shall any way be levied or stirred in Disturbance of the due Execution of this Law, shall by virtue of this Act have Power and Authority not only to raise and use such Forces as shall in that Behalf be needful and convenient, but also to use all other Means and Things possible and necessary for the Maintenance of the same Forces, and Prosecution of the said Offenders. And if any such Power and Force shall be levied or stirred in Disturbance of the due Execution of this Law, by any Person that shall or may pretend any Title to the Crown of this Realm, whereby this Law may not in all Things be fully executed, according to the Effect and true Meaning of the same, that then every such Person shall, by virtue of this Act, be therefore excluded and disabled for ever to have or claim, or to pretend to have or claim the Crown of this Realm, or of any other her Highness Dominions, any former Law or Statute whatsoever to the contrary notwithstanding.

V. And be it further enacted by the Authority aforesaid, That all and every the Subjects of all her Majesty's Realms and Dominions, shall to the uttermost of their Power aid and assist the said Council, and all other the Lords and other Persons to be adjoined unto them for Assistance, as is aforesaid, in all Things to be done and executed according to the Effect and Intention of this Law; and that no Subject of this Realm shall in any wise be impeached in Body, Lands or Goods, at any Time hereafter, for any Thing to be done or executed according to the Tenour of this Law, any Law or Statute heretofore made to the contrary in any wise notwithstanding.

VI. And whereas of late many of her Majesty's good and faithful Subjects have, in the Name of God, and with the Testimony of good Consciences, by one uniform Manner of Writing, under their Hands and Seals, and by their several Oaths voluntarily taken, joined themselves together in one Bond and Association to withstand and revenge to the uttermost all such malicious Actions and Attempts against her Majesty's most Royal Person: Now for the full explaining of all such Ambiguities and Questions as otherwise might happen to grow by reason of any sinister or wrong Construction or Interpretation to be made or inferred of or upon the Words or Meaning thereof, be it declared and enacted by the Authority of this present Parliament, That the same Association, and every Article and Sentence therein contained, as well concerning the disallowing, excluding or disabling of any Person that may or shall pretend any Title to come to the Crown of this Realm, as also for the pursuing and taking Revenge of any Person for any such wicked Act or Attempt as is mentioned in the same Association, shall and ought to be in all Things expounded and adjudged according to the true Intent and Meaning of this Act, and not otherwise, nor against any other Person or Persons.

C A P. II.

An Act against Jesuits, Seminary Priests and such other like disobedient Persons.

“WHEREAS divers Persons called or professed Jesuits, Seminary Priests and other Priests, which have been, and from Time to Time are made in the Parts beyond the Seas, by or according to the Order and Rites of the *Romish* Church, have of late Years comen and been sent, and daily do come and are sent, into this Realm of *England* and other the Queen’s Majesty’s Dominions, of Purpose (as it hath appeared, as well by fundry of their own Examinations and Confessions, as by diverse other manifest Means and Proofs) not only to withdraw her Highness Subjects from their due Obedience to her Majesty, but also to stir up and move Sedition, Rebellion and open Hostility within the same her Highness Realms and Dominions, to the great endangering of the Safety of her most Royal Person, and to the utter Ruin, Desolation and Overthrow of the whole Realm, if the same be not the sooner by some good Means foreseen and prevented:”

Jesuits, &c. to
depart the Realm.

II. For Reformation whereof, be it ordained, established and enacted by the Queen’s most excellent Majesty, and the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same Parliament, That all and every Jesuits, Seminary Priests and other Priests whatsoever, made or ordained out of the Realm of *England*, or other her Highness Dominions, or within any of her Majesty’s Realms or Dominions, by any Authority, Power or Jurisdiction derived, challenged or pretended from the See of *Rome*, since the Feast of the Nativity of *St. John Baptist* in the First Year of her Highness Reign, shall, within Forty Days next after the End of this present Session of Parliament, depart out of this Realm of *England*, and out of all other her Highness Realms and Dominions, if the Wind, Weather and Passage shall serve for the same, or else so soon after the End of the said Forty Days as the Wind, Weather and Passage shall so serve.

Jesuits, &c.
remaining, &c.

III. And be it further enacted by the Authority aforesaid, That it shall not be lawful to or for any Jesuit, Seminary Priest, or other such Priest, Deacon or Religious or Ecclesiastical Person whatsoever, being born within this Realm, or any other her Highness Dominions, and heretofore since the said Feast of the Nativity of *St. John Baptist*, in the First Year of her Majesty’s Reign, made, ordained or professed, or hereafter to be made, ordained or professed, by any Authority or Jurisdiction derived, challenged or pretended from the See of *Rome*; by or of what Name, Title or Degree soever the same shall be called or known, to come into, be or remain in any Part of this Realm, or any other her Highness Dominions, after the End of the same Forty Days, other than in such special Cases, and upon such special Occasions only, and for such Time only, as is expressed in this Act; and if he do, that then every such Offence shall be taken and adjudged to be High Treason; and every Person so offending shall for his Offence be adjudged a Traitor, and shall suffer, lose and forfeit, as in case of High Treason.

High Treason.

IV. And

IV. And every Person which after the End of the same Forty Days, and after such Time of Departure as is before limited and appointed, shall wittingly and willingly receive, relieve, comfort, aid or maintain any such Jesuit, Seminary Priest or other Priest, Deacon or Religious or Ecclesiastical Person, as is aforesaid, being at Liberty, or out of Hold, knowing him to be a Jesuit, Seminary Priest or other such Priest, Deacon or Religious or Ecclesiastical Person, as is aforesaid, shall also for such Offence be adjudged a Felon, without Benefit of Clergy, and suffer Death, lose and forfeit, as in case of one attainted of Felony.

Receiving or relieving Jesuit, &c.

Felony.

V. And be it further enacted by the Authority aforesaid, If any of her Majesty's Subjects (not being a Jesuit, a Seminary Priest, or other such Priest, Deacon or Religious or Ecclesiastical Person, as is before mentioned) now being, or which hereafter shall be of or brought up in any College of Jesuits or Seminary already erected and ordained, or hereafter to be erected or ordained, in the Parts beyond the Seas, or out of this Realm in any foreign Parts, shall not within Six Months next after Proclamation in that Behalf to be made in the City of *London*, under the Great Seal of *England*, return into this Realm, and thereupon within Two Days next after such Return, before the Bishop of the Diocese, or Two Justices of Peace of the County where he shall arrive, submit himself to her Majesty and her Laws, and take the Oath set forth by Act in the First Year of her Reign; that then every such Person which shall otherwise return, come into or be in this Realm, or any other her Highness Dominions, for such Offence of returning or being in this Realm or any other her Highness Dominions, without Submission as aforesaid, shall also be adjudged a Traitor, and suffer, lose and forfeit as in case of High Treason.

Persons in foreign Seminaries to return and take Oath.

High Treason.

VI. And be it further enacted by the Authority aforesaid, If any Person under her Majesty's Subjection or Obedience shall at any Time after the End of the said Forty Days, by way of Exchange, or by any other Shift, Way or Means whatsoever, wittingly and willingly, either directly or indirectly, convey, deliver or send, or cause or procure to be conveyed or delivered, to be sent over the Seas, or out of this Realm, or out of any other her Majesty's Dominions or Territories, into any foreign Parts, or shall wittingly or willingly yield, give or contribute any Money or other Relief to or for any Jesuit, Seminary Priest, or such other Priest, Deacon or Religious or Ecclesiastical Person as is aforesaid, or to or for the Maintenance or Relief of any College of Jesuits or Seminary already erected or ordained, or hereafter to be erected or ordained, in any the Parts beyond the Seas, or out of this Realm in any foreign Parts, or of any Person then being of or in any the same Colleges or Seminaries, and not returned into this Realm with Submission; as in this Act is expressed, and continuing in the same Realm; that then every such Person so offending, for the same Offence shall incur the Danger and Penalty of a *Premunire*, mentioned in the Statute of *Premunire* made in the Sixteenth Year of the Reign of King *Richard* the Second.

Sending Relief, to Jesuit, &c. abiding in Seminary.

Premunire.
16 R. 2. c. 5.

VII. And be it further enacted by the Authority aforesaid, That it shall not be lawful for any Person of or under her Highness Obedience, at any Time after the said Forty Days, during her Majesty's Life (which God long preserve) to send his or her Child, or other Person, being under his or her Government, into

Sending Child or other beyond Seas without Licence.

any the Parts beyond the Seas out of her Highness Obedience, without the Special Licence of her Majesty, or of Four of her Highness Privy Council, under their Hands in that Behalf first had or obtained (except Merchants, for such only as they or any of them shall send over the Seas only for or about his, her or their Trade or Merchandize, or to serve as Mariners, and not otherwise) upon Pain to forfeit and lose for every such their Offence the Sum of One hundred Pounds. EXP.

Penalty.

Where Offences shall be determined.

VIII. And be it also enacted by the Authority aforesaid, That every Offence to be committed or done against the Tenor of this Act shall and may be enquired of, heard and determined, as well in the Court commonly called the King's Bench in the County where the same Court shall for the Time be, as also in any other County within this Realm, or any other her Highness Dominions where the Offence is or shall be committed, or where Offender shall be apprehended and taken.

Transporting of Jesuits, &c.

IX. Provided also, and be it enacted by the Authority aforesaid, That it shall and may be lawful for and to every Owner and Master of any Ship, Bark or Boat, at any Time within the said Forty Days, or other Time before limited for their Departure, to transport into any the Parts beyond the Seas any such Jesuit, Seminary Priest, or other Priest aforesaid, so as the same Jesuit, Seminary Priest, or other Priest aforesaid so to be transported, do deliver unto the Mayor or other Chief Officer of the Town, Port or Place where he shall be taken in to be transported, his Name, and in what Place he received such Order, and how long he hath remained in this Realm, or in any other her Highness Dominions, being under her Obedience.

Jesuit, &c. submitting and taking Oath.

X. Provided also, That this Act, or any Thing therein contained, shall not in any wise extend to any such Jesuit, Seminary Priest, or other such Priest, Deacon or Religious or Ecclesiastical Person, as is before mentioned, as shall at any Time within the said Forty Days, or within Three Days after that he shall hereafter come into this Realm, or any other her Highness Dominions, submit himself to some Archbishop or Bishop of this Realm, or to some Justice of Peace within the County where he shall arrive or land, and do thereupon truly and sincerely, before the same Archbishop, Bishop or such Justice of Peace, take the said Oath set forth in *Anno primo*, and by Writing under his Hand confess and acknowledge, and from thenceforth continue, his due Obedience unto her Highness Laws, Statutes and Ordinances, made and provided or to be made or provided in Causes of Religion.

7 Eliz. c. 1.

Provido.

XI. Provided always, if it happen at any Time hereafter any Peer of this Realm to be indicted of any Offence made Treason, Felony or *Premunire* by this Act, that he shall have his Trial by his Peers, as in other Cases of Treason, Felony or *Premunire* is accustomed.

Infirm Jesuit, &c.

XII. Provided nevertheless, and it is declared by Authority aforesaid, That if any such Jesuit, Seminary Priest or other Priest above said, shall fortune to be so weak or infirm of Body, that he or they may not pass out of this Realm by the Time herein limited without imminent Danger of Life, and this understood as well by the corporal Oath of the Party as by other good Means, unto the Bishop of the Diocese and Two Justices of Peace of the same County where such Person or Persons do dwell or abide; that then,

then, and upon good and sufficient Bond of the Person or Persons, with Sureties, of the Sum of Two hundred Pounds at the least, with Condition that he or they shall be of good Behaviour towards our Sovereign Lady the Queen and all her liege People, then he or they so licensed and doing as is aforesaid, shall and may remain and be still within this Realm, without any Loss or Danger to fall on him or them by this Act, for so long Time as by the same Bishop and Justices shall be limited and appointed, so as the same Time of Abode exceed not the Space of Six Months at the most; and that no Person or Persons shall sustain any Loss, or incur any Danger by this Act, for the receiving or maintaining of any such Person or Persons so licensed as is aforesaid, for and during such Time only as such Person or Persons shall be so licensed to tarry within this Realm; any Thing contained in this Act to the contrary notwithstanding.

Security.

XIII. And be it also further enacted by Authority aforesaid, That every Person or Persons, being Subjects of this Realm, which after the said Forty Days shall know and understand that any such Jesuit, Seminary Priest or other Priest above said, shall abide, stay, tarry or be within this Realm, or other the Queen's Dominions and Countries, contrary to the true Meaning of this Act, and shall not discover the same unto some Justice of Peace or other higher Officer, within Twelve Days next after his said Knowledge, but willingly conceal his Knowledge therein, that every such Offender shall make Fine, and be imprisoned at the Queen's Pleasure; and that if such Justice of Peace, or other such Officer to whom such Matter shall be so discovered, do not within Eight and twenty Days then next following give Information thereof to some of the Queen's Privy Council, or to the President or Vice President of the Queen's Council established in the North, or in the Marches of *Wales*, for the Time being; that then he or they so offending shall for every such Offence forfeit the Sum of Two hundred Marks.

Knowing Jesuit, &c to remain in the Realm, and not discovering.

Penalty.

Penalty.

XIV. And be it likewise enacted by the Authority aforesaid, That such of the Privy Council, President or Vice President, to whom such Information shall be made, shall thereupon deliver a Note in Writing, subscribed with his own Hand, to the Party by whom he shall receive such Information, testifying that such Information was made unto him.

XV. And be it also enacted, That all such Oaths, Bonds and Submissions, as shall be made by force of this Act, as aforesaid, shall be certified into the Chancery by such Parties before whom the same shall be made, within Three Months next after such Submission, upon Pain to forfeit and lose for every such Offence One hundred Pounds of lawful *English* Money; the said Forfeiture to be to the Queen, her Heirs and Successors.

Certificate of Submissions into Chancery.

Penalty.

XVI. And that if any Person so submitting himself, as aforesaid, do at any Time within the Space of Ten Years after such Submission made, come within Ten Miles of such Place where her Majesty shall be, without especial Licence from her Majesty in that Behalf to be obtained in Writing under her Hand; that then and from thenceforth such Person shall take no Benefit of his said Submission, but that the same Submission shall be void, as if the same had never been.

None submitting to come within Ten Miles of the Queen.

C A P. III.

An Act for the Explanation of the Statute made Anno 13^o of the Queen's Majesty's Reign, intituled, *An Act to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers, &c. liable to the Payment of their Debts.*

13 Eliz. c. 4.

‘ WHERE in the Parliament holden at *Westminster* the Second Day of *April* in the Thirteenth Year of the Reign of our Sovereign Lady Queen *Elizabeth*, there was, amongst other Things, an Act made, intituled, *An Act to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers, &c. liable to pay their Debts*; upon which Act some Doubt and Question hath been moved, whether the Queen's Highness, her Heirs and Successors, might for the Satisfaction of her and their Debts and Farms, by her or their Letters Patents under the Great Seal of *England*, make Sale of any the Lands, Tenements and Hereditaments, whereof her Highness, her Heirs and Successors, have Power or Authority to make Sale by virtue of the same Act, after the Death of such Accountant or Debtor as is mentioned in the said Act, or where the Account of such Accountant or Debtor was not or is not made, or his or their Debt known in the Life-time of the same Accountant or Debtor;’

Sale of Accountant's Lands after his Death.

II. For Declaration and Explaining whereof, Be it declared and enacted by the Authority of this present Parliament, That the said Act, in every Part thereof, touching the Power given by that recited Act unto her Highness, her Heirs and Successors, to make Sale of any the Lands, Tenements or Hereditaments by the same Act limited to be sold, is, shall and ought to be expounded and intended, as well in case where the Sale is to be made after the Death of such Accountant or Debtor, as where it is to be made in his or their Life-time; and also as well in case where the Account is made, or the Debt known within Eight Years after the Death of such Accountant or Debtor, as where the same Account is made, or the Debt known in the Life-time of the same Accountant or Debtor; any Ambiguity or Question that hath risen or grown, or may arise, grow or be conceived, upon the Letter of the same Act to the contrary thereof in any wise notwithstanding.

Process against Accountant's Heir before Sale of Lands.

III. Provided always, and be it enacted by the Authority aforesaid, That after the Death of such Accountant and Debtor, as is mentioned in the said recited Act, and before such Time as any the Lands, Tenements and Hereditaments, descended unto the Heir of such Accountant or Debtor as Heir unto the same Accountant or Debtor, shall be sold as aforesaid, a *Scire facias* shall be awarded out of her Majesty's Court of Exchequer unto the Sheriff of the County where any such Lands do lie, to garnish the same Heir, to shew Cause why the same Lands, Tenements and Hereditaments, so to him descended as aforesaid, should not be put to Sale for Satisfaction of the same Debts or Farms in the same Act mentioned, according to the Tenor of the said Act; whereupon if the Heir do not within a convenient Time, upon a Garnishment or Two *Nichils* returned, shew and prove unto the said Court, that the Executors or Administrators of such Accountant or Debtor have sufficient, which ought to answer or be liable for the same Debt or Farm, and whereby the said Debt or Farm

Farm shall and may be duly and fully satisfied; that then after Ten Months next after such Two *Nichils*, or Garnishment returned, the same Lands, Tenements and Hereditaments shall be sold by her Majesty, her Heirs or Successors, and the Money thereof coming disposed according to the true Intent and Meaning of the said former recited A^ct.

IV. And be it further enacted by the Authority aforesaid, That the said recited A^ct, and this Statute of Explanation also, as touching only the Sale of any Lands, Tenements or Hereditaments, to be made after the Death of such Accountant or Debtor as is aforesaid, shall not extend to any Lands, Tenements or Hereditaments, which any Person or Persons, not being privy or consenting unto any such Intent to defraud the Queen's Majesty, her Heirs or Successors, as in the said recited A^ct is mentioned, now have or enjoy, or have purchased or obtained, or before any *Scire facias* so to be awarded as aforesaid, shall have or enjoy, purchase or obtain, *bona fide*, and upon good Consideration; any Thing in this A^ct, or in the before mentioned A^ct to the contrary thereof in any wise notwithstanding.

Heir's Sale, in what Case good.

V. Provided always, and be it enacted, That this A^ct of Explanation shall extend only unto such as have been or shall be Tellers, Receivers, Treasurers, Customers, Cofferers of the Household, Farmers of Impost, Collectors, Bailiffs, Victuallers and other Officers of Receipts and Accounts unto our Sovereign Lady the Queen's Majesty, her Heirs and Successors, and to every of them, their Heirs, Executors and Administrators, and to no other.

To what Accountants A^ct shall extend.

VI. Provided also, and be it further enacted by the Authority aforesaid, That in such Cases where any Account shall or ought to be made, or any Debts shall be owing in the Courts of the Duchy of Lancaster, and Wards and Liveries (a), or in any of them, then after the Death of such Accountant or Debtor as is mentioned in the said former A^ct, in any of the said last mentioned Courts, and before such Time as any of the Lands, Tenements or Hereditaments, descended unto the Heir of such Accountant or Debtor as Heir unto the same Accountant or Debtor, shall be sold as aforesaid, such Process shall be awarded, as hereafter is expressed; that is to wit, first, a Privy Seal, commanding the same Heir to make personal Appearance in the Court out of which the same Privy Seal shall be awarded, to shew Cause, as in the Writ of *Scire facias* to be awarded out of the Exchequer is before appointed; and if the same Heir shall make Default at the Day of the Return of the same Privy Seal, that then upon the Affidavit made, that the same Privy Seal was duly served, either upon the Person of the same Heir, or left at the Place of his or her Dwelling or most usual Abode, an Attachment with Proclamation shall be awarded against the same Heir, and shall be openly published and proclaimed in some Market Town in the County where the same Heir was last dwelling, or made his or her usual Abode, upon some Market Day there in the Time of open Market, Twenty Days at the least before the Return thereof; and if upon Return thereof the said Heir shall whatsoever make Default, that

Process against Heir in Court of Wards or Duchy.

(a) [Court of Wards and Liveries taken away, 12 Car. 2. c. 24 § 1.]
then

then all Things shall be done and executed for the Sale of the same Lands, Tenements and Hereditaments, and for the full Satisfaction of the same Debt or Farm, in like and as large and ample Manner and Form, to all Intents and Purposes, as before in this Act is limited and appointed in Cases where Default is made upon a Garnishment or Two *Nichils* returned upon a *Scire facias* awarded out of the said Court of Exchequer.

No Sale of Heir's
Lands during
Minority.

VII. Provided also, and be it likewise enacted, That if the Heir of any Accountant or Debtor before mentioned, shall happen to be within the Age of One and twenty Years when any such Process shall fortune to be awarded, that then during the Time of his or her Nonage, this Act or any Thing therein contained shall not in any wise be extended, executed or put in Ure, as touching or concerning only the selling of the Lands, Tenements or Hereditaments of any such Heir; any Thing in the same Act contained to the contrary in any wise notwithstanding; and yet nevertheless, after such Time as any such Heir shall accomplish the full Age of Twenty one Years, all and singular the Lands, Tenements and Hereditaments descended unto the same Heir from any such Debtor or Accountant as aforesaid, shall at all Times during the Space of Eight Years then next ensuing, be subject and liable to be sold for the Payment and Satisfaction of her Majesty, her Heirs and Successors, according to the Intent and true Meaning of this Act, in such Manner and Form to all Intents and Purposes, as if the same Heir had been of full Age at the Time of the Death of such Debtor or Accountant.

Heir's Lands
liable to Sale
Eight Years after
Age.

Provide.

VIII. Provided always, and be it enacted, That this Act, or any Thing therein contained, shall not extend to the Sale of the Lands, Tenements or Hereditaments of any such Heir or Heirs, for or by reason of any Account, Debt or Farm, whereof any such Debtor or Accountant have or shall have a *Quietus est*, or Discharge in his or their Lifetime.

Quietus est.

[See 25 G. 3. c. 35.]

C A P. IV.

An Act against covenant and fraudulent Conveyances.

FORASMUCH as not only the Queen's most excellent Majesty, but also divers of her Highness good and loving Subjects, and Bodies Politick and Corporate, after Conveyances obtained or to be obtained, and Purchases made or to be made of Lands, Tenements, Leases, Estates and Hereditaments, for Money or other good Considerations, may have, incur and receive great Loss and Prejudice by reason of fraudulent and covenant Conveyances, Estates, Gifts, Grants, Charges and Limitations of Uses heretofore made or hereafter to be made of, in or out of Lands, Tenements or Hereditaments so purchased or to be purchased; which said Gifts, Grants, Charges, Estates, Uses and Conveyances were or hereafter shall be meant and intended by the Parties that so make the same to be fraudulent and covenant, of Purpose and Intent to deceive such as have purchased or shall purchase the same, or else by the secret Intent of the Parties the same to be to their own proper Use, and at their free Disposition, coloured nevertheless by a fained Countenance and Shew of Words and Sentences, as though the same were made *bona*

‘*fide*, for good Causes, and upon just and lawful Considerations:’

II. For Remedy of which Inconveniences, and for the avoiding of such fraudulent, fained and covenous Conveyances, Gifts, Grants, Charges, Uses and Estates, and for the Maintenance of upright and just Dealing in the purchasing of Lands, Tenements and Hereditaments; Be it ordained and enacted by the Authority of this present Parliament, That all and every Conveyance, Grant, Charge, Lease, Estate, Incumbrance and Limitation of Use or Uses of, in or out of any Lands, Tenements or other Hereditaments whatsoever, had or made any Time heretofore sithence the Beginning of the Queen’s Majesty’s Reign that now is, or at any Time hereafter to be had or made, for the Intent and of Purpose to defraud and deceive such Person or Persons, Bodies Politick or Corporate, as have purchased or shall afterwards purchase in Fee Simple, Fee Tail, for Life, Lives or Years, the same Lands, Tenements and Hereditaments, or any Part or Parcel thereof, so formerly conveyed, granted, leased, charged, incumbered or limited in Use, or to defraud and deceive such as have or shall purchase any Rent, Profit or Commodity in or out of the same, or any Part thereof, shall be deemed and taken only as against that Person and Persons, Bodies Politick and Corporate, his and their Heirs, Successors, Executors, Administrators and Assigns, and against all and every other Person and Persons lawfully having or claiming, by, from or under them, or any of them, which have purchased, or shall hereafter so purchase for Money or other good Consideration, the same Lands, Tenements or Hereditaments, or any Part or Parcel thereof, or any Rent, Profit or Commodity in or out of the same, to be utterly void, frustrate and of none Effect; any Pretence, Colour, fained Consideration, or expresting of any Use or Uses to the contrary notwithstanding.

Fraudulent Conveyances made to deceive Purchasers, void.

III. And be it further enacted by the Authority aforesaid, That all and every the Parties to such fained, covenous and fraudulent Gifts, Grants, Leases, Charges or Conveyances before expressed, or being privy and knowing of the same or any of them, which after the Twentieth Day of *April* next coming shall wittingly and willingly put in ure, avow, maintain, justify or defend the same or any of them, as true, simple and done, had or made, *bona fide*, or upon good Consideration, to the Disturbance or Hindrance of the said Purchaser or Purchasers, Lessees or Grantees, or of or to the Disturbance or Hindrance of their Heirs, Successors, Executors, Administrators or Assigns, or such as have or shall lawfully claim any Thing by, from or under them or any of them, shall incur the Penalty and Forfeiture of one Year’s Value of the said Lands, Tenements and Hereditaments so purchased or charged; the one Moiety whereof to be to the Queen’s Majesty, her Heirs and Successors, and the other Moiety to the Party or Parties grieved by such fained and fraudulent Gift, Grant, Lease, Conveyance, Incumbrance or Limitation of Use, to be recovered in any of the Queen’s Courts of Record, by Action of Debt, Bill, Plaint or Information, wherein no Effoin, Protection or Wager of Law shall be admitted for the Defendant or Defendants; and also being thereof lawfully convicted, shall suffer Imprisonment for One Half Year without Bail or Mainprize.

Parties to fraudulent Conveyances avowing same.

Penalty:

Imprisonment.

IV. Provided

Conveyances
upon good Con-
siderations, &c.

IV. Provided also, and be it enacted by the Authority aforesaid, That this Act or any Thing therein contained shall not extend or be construed to impeach, defeat, make void or frustrate any Conveyance, Assignment of Lease, Assurance, Grant, Charge, Lease, Estate, Interest or Limitation of Use or Uses, of, in, to or out of any Lands, Tenements or Hereditaments heretofore at any Time had or made, or hereafter to be had or made, upon or for good Consideration and *bona fide*, to any Person or Persons, Bodies Politick or Corporate; any Thing before mentioned to the contrary hereof notwithstanding.

Lands first con-
veyed with Con-
dition of Revo-
cation, &c. and
after sold for good
Consideration.

V. And be it further enacted by the Authority aforesaid, That if any Person or Persons have heretofore sithence the Beginning of the Queen's Majesty's Reign that now is, made or hereafter shall make any Conveyance, Gift, Grant, Demise, Charge, Limitation of Use or Uses, or Assurance of, in or out of any Lands, Tenements or Hereditaments, with any Clause, Provision, Article or Condition of Revocation, Determination or Alteration, at his or their Will or Pleasure, of such Conveyance, Assurance, Grants, Limitations of Uses or Estates of, in or out of the said Lands, Tenements or Hereditaments, or of, in or out of any Part or Parcel of them, contained or mentioned in any Writing, Deed or Indenture of such Assurance, Conveyance, Grant or Gift; and after such Conveyance, Grant, Gift, Demise, Charge, Limitation of Uses or Assurance so made or had, shall or do bargain, sell, demise, grant, convey or charge the same Lands, Tenements or Hereditaments, or any Part or Parcel thereof, to any Person or Persons, Bodies Politick and Corporate, for Money or other good Consideration paid or given (the said First Conveyance, Assurance, Gift, Grant, Demise, Charge or Limitation, not by him or them revoked, made void or altered, according to the Power and Authority reserved or expressed unto him or them in and by the said secret Conveyance, Assurance, Gift or Grant,) That then the said former Conveyance, Assurance, Gift, Demise and Grant, as touching the said Lands, Tenements and Hereditaments, so after bargained, sold, conveyed, demised or charged, against the said Bargainers, Vendees, Lessees, Grantees and every of them, their Heirs, Successors, Executors, Administrators and Assigns, and against all and every Person and Persons which have, shall or may lawfully claim any Thing, by, from or under them or any of them, shall be deemed, taken and adjudged to be void, frustrate, and of none Effect, by Virtue and Force of this present Act.

First Convey-
ance void.

Mortgages law-
fully made.

VI. Provided nevertheless, That no lawful Mortgage made or to be made *bona fide*, and without Fraud or Covin, upon good Consideration, shall be impeached or impaired by Force of this Act, but shall stand in the like Force and Effect as the same should have done if this Act had never been had nor made; any Thing in this Act to the contrary in any wise notwithstanding.

Statute Mer-
chant, &c. to be
entered.

VII. And be it further enacted by the Authority aforesaid, That all the whole Tenor and Contents of all Statutes Merchant and Statutes of the Staple, hereafter to be knowledged, shall within Six Months next after such Knowledging, be entered in the Office of the Clerk of Recognizances, taken according to the Statute made in the Three and twentieth Year of the Reign of the late King Henry the Eighth, by the shewing forth of the said Statute Merchant or Statute Staple so knowledged unto

23. H. 8. c. 6.

the said Clerk; which said Clerk of the Recognizances shall enter, or cause to be entred, the same Statutes into a Book for that Purpose to be provided and safely kept by him, taking Fee. Eight Pence and no more, for every such Entry.

VIII. And be it further enacted, That if the Party to whom any such Statute Merchant or of the Staple shall be knowledged, his Executors or Administrators, do or shall not within Four Months next after the Knowledging of any such Statute, bring and deliver, or cause to be brought and delivered, unto the said Clerk, or his Deputy or Deputies for the Time being, all and every such Statute and Statutes as shall be so knowledged to him or to his Use, whereby and to the Intent that the said Clerk, his Deputy or Deputies, may take and enter a true Copy thereof; that then every such Statute Merchant and of the Staple not so entered shall be void, frustrate and of none Effect, against all and every such Person and Persons, and Bodies Politick and Corporate, their Heirs, Successors, Executors, Administrators and Assigns only, as shall, after the Knowledging of the said Statutes or any of them, purchase for Money or other good Consideration, the Lands, Tenements or Hereditaments which were liable to the same Statute Merchant or of the Staple, or any Part or Parcel thereof, or any Rent, Lease or Profit of or out of the same.

Statute not entered, void against Purchaser.

IX. And if the said Clerk, or his Deputy or Deputies for the Time being, shall not upon such Shewing and Delivery unto him or them of any Statute Merchant or of the Staple, enter or cause to be entred the same in his said Book within the said Time of Six Months, and also endorfe upon every such Statute so by him entred, the Day and Year of his said Entry, with his or their own Name; that then every such Clerk failing or defective in that Behalf, shall forfeit and lose for every Statute Merchant and of the Staple so brought unto him or them, and not entred and endorfed, or caused to be entred and endorfed as aforesaid, the Sum of Twenty Pounds; the one Moiety whereof to be to the Queen's Majesty, her Heirs and Successors, and the other Moiety to him or them that will sue for the same in any of the Queen's Courts of Record, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection or Wager of Law shall be allowed.

Clerk not entering, or not endorffing Statute.

Penalty.

X. And be it further enacted by the Authority aforesaid, That no Clerk of the said Recognizances shall or may take, for or in respect of any Search to be made for or concerning any Statute Merchant or of the Staple so to be entred as aforesaid, above Two pence for one Year's Search, and so after the Rate of Two pence for every Year and not above, upon Pain to forfeit and lose to the Party or Parties grieved thereby, Twenty Times as much as he shall take contrary to the true Meaning of this Act, to be recovered in any of the Queen's Majesty's Courts of Record, by Action of Debt, Bill, Plaint or Information, wherein no Protection or Wager of Law shall be allowed. This Act to continue for the Space of Ten Years, and from thenceforth unto the End of the Parliament then next following.

Clerk of Recognizances. Fee.

Penalty.

Continuance.

XI. Provided always, That this Act, nor any Thing therein contained, shall extend or be construed to make good any Purchase, Grant, Lease, Charge or Profit, of, in or out of any Lands, Tenements or Hereditaments heretofore made void, defeated or ~~undone~~ by reason of any former Conveyance, Grant or Assurance, so

Assurance of Lands defeated, in what case not made good.

so as the Party or Parties or their Heirs or Assigns, which have so defeated or made void the same, were in actual Possession the First Day of this present Parliament, of or in the said Lands, Tenements or Hereditaments, whereof or out of which any such Purchase, Grant, Lease, Charge or Profit was made.

Star Chamber.

XII. Provided that this Act, nor any Thing therein contained, shall extend in any Sort to restrain or impair the Jurisdiction, Power or Authority of the Court of Star Chamber. [*Star Chamber abolished, 16 Car. 1. c. 10.*]

[*Made perpetual, 39 Eliz. c. 18. § 31, 32.*]

C A P. V.

An Act for the Expedition of Justice, in Causes of Demurrers and Pleadings.

Judgment given, notwithstanding Defect in Process, &c.

FORASMUCH as excessive Charges and Expences, and great Delay and Hindrance of Justice hath grown in Actions and Suits between the Subjects of this Realm, by reason that upon some small Mistaking or Want of Form in Pleading, Judgments are often reversed by Writs of Error, and oftentimes upon Demurrers in Law given otherwise than the Matter in Law and very Right of the Cause doth require, whereby the Parties are constrained either utterly to lose their Right, or else after long Time and great Trouble and Expences, to renew again their Suits: For Remedy whereof, Be it enacted by the Queen's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from henceforth, after Demurrer joined and entered in any Action or Suit in any Court of Record within this Realm, the Judges shall proceed and give Judgment according as the very Right of the Cause and Matter in Law shall appear unto them, without regarding any Imperfection, Defect or Want of Form in any Writ, Return, Plaint, Declaration or other Pleading, Process or Course of Proceeding whatsoever, except those only which the Party demurring shall specially and particularly set down and express together with his Demurrer; and that no Judgment to be given shall be reversed by any Writ of Error, for any such Imperfection, Defect or Want of Form as is aforesaid, except such only as is before excepted.

Court may amend Defects of Form.

II. And be it further enacted, That after Demurrers joined and entered, the Court where the same shall be, shall and may by Virtue of this Act from Time to Time amend all and every such Imperfections, Defects and Wants of Form as is before mentioned, other than those only which the Party demurring shall specially and particularly express and set down together with his Demurrer as is aforesaid.

Proviso for

III. Provided always, and be it further enacted by the Authority aforesaid, That this Act, or any Thing therein contained, shall not extend to any Writ, Declaration or Suit of Appeal of Felony or Murder, nor to any Indictment or Presentment of Felony, Murder, Treason or other Matter, nor to any Process upon any of them, nor to any Writ, Bill, Action or Information upon any popular or penal Statute; any Thing aforesaid to the contrary notwithstanding.

[*Enforced 4 & 5 Ann. c. 16. and extended to Writs of Mandamus and to Informations in Nature of Quo Warranto, 9 Ann. c. 20. § 7.*]

C A P. VI.

An Act for the Returning of sufficient Jurors, for the better Expedition of Trials.

' **F**OR the Returning of more able and more sufficient Jurors
 ' for Trials to be hereafter had between Party and Party, and
 ' for Reformation of Abuses in Sheriffs and other Ministers, who
 ' for Reward oftentimes do spare at home the most able and suffi-
 ' cient Freeholders, and return the poorer and simpler Sort, least
 ' able to discern the Causes in Question, and most unable to bear
 ' the Charges of Appearance and Attendances in such Cases ;'
 Be it ordained and enacted by Authority of this present Parlia-
 ment, That in all Cases where any Jurors to be returned for Trial of any Issue or Issues joined in any of the Queen's Majesty's Courts of King's Bench, Common Pleas and the Exchequer, or before Justices of Assize, by the Laws of this Realm now in force, ought to have Estate of Freehold in Lands, Tenements or Hereditaments, of the clear yearly Value of Forty Shillings, that in every such Case the Jurors that shall be returned from and after the End of this present Session of Parliament, shall every of them have Estate of Freehold in Lands, Tenements or Hereditaments, to the clear yearly Value of Four Pounds at the least ; and that the Writs of *Venire facias*, which from and after the End of this present Session of Parliament shall be awarded and directed for the Impannelling of Juries in the Cases aforesaid, shall be in this Form, *Regina, &c. Precipimus, &c. quod venire facias coram, &c. duodecim liberos & legales homines de vicineto de B. quorum quilibet habeat quatuor libras terre, tenementorum vel reddituum per annum ad minus, per quos rei veritas melius sciri poterit, & qui nec, &c.* and so forth, the Residue of the said Writ after the ancient Form ; and that upon every such Writ and Writs of *Venire facias*, the Sheriff or other Ministers unto whom the Making of the Panel shall appertain, shall not return in any such Panel any Person, unless he may dispend Four Pounds by the Year at the least of Freehold, out of ancient Demesne, within the County where the Issue is to be tried ; upon Pain to forfeit for every Person being returned in any such Panel, that cannot dispend Four Pounds Freehold as is aforesaid, Twenty Shillings.

Qualifications of Jurors.

Penalty.

II. And further be it enacted by the Authority aforesaid, That upon every First Writ of *Habeas corpora*, or *Disfringas*, with a *Nisi prius*, delivered of Record to the Sheriff, or other Minister or Ministers to whom the Making of the Return shall appertain, shall from and after the Twentieth Day of May next ensuing return in Issues upon every Person impanelled and returned upon any such Writ, at the least Ten Shillings ; and at the Second Writ of *Habeas corpora* or *Disfringas*, with a *Nisi prius* upon every Person impanelled and returned upon any such Writ, Twenty Shillings at the least ; and at the Third Writ of *Habeas corpora* or *Disfringas*, with a *Nisi prius*, that shall be further awarded upon every Person impanelled and returned upon such Writ, Thirty Shillings : And upon every Writ that shall be further awarded to try any such Issues, to double the Issues last afore specified, until a full Jury be sworn, or the Process otherwise ceased or determined ; upon Pain to forfeit for every Return of Issues contrary to the Form aforesaid, Five Pounds.

Issues to be returned upon Jurors.

Penalty.

III. And

Issues returned
upon Juror not
summoned.

Pemlty.

Receiving Re-
ward for not
returning Juror.

Pemlty.

Challenge for
Hundred.

Other Chal-
lenges.

Juries returned
in Wales, &c.

III. And be it further enacted, That if any Sheriff, Under Sheriff, Bailiff or other Minister, from and after the End of this present Session of Parliament, do return any Person or Persons to be summoned to appear in any Jury, wherein he shall for Default of his Appearance lose or forfeit any Issues, where in Truth such Person shall not be lawfully summoned; that then the same Sheriff, Under Sheriff, Bailiff or other Minister, by whose Default such Person shall be returned summoned as aforesaid, shall forfeit, lose and pay unto the said Person and Persons so returned, double the Value of the Issues by such Juror or Jurors lost or forfeited for his Default of Appearance.

IV. And be it further enacted by the Authority aforesaid, That if any Sheriff, Under Sheriff, Sheriff's Deputy, Sheriff or Under Sheriff's Clerk, or any Bailiff of Franchise, shall at any Time after the End of this present Session of Parliament receive, take or have by himself, or by any other, any Sum of Money, Reward or any other Profit, directly or indirectly, or do take any Promise, make any Agreement or Assent, to have any Sum of Money, Reward or other Profit, directly or indirectly, of any Person or Persons, for the Sparing, not Warning, or not Returning of any Person to be sworn as a Juror, for the Trial of any Issue joined or to be joined in any of the Queen's Majesty's Courts aforesaid, or before any Justices; that then every Sheriff, Under Sheriff, Sheriff's Deputy, Sheriff or Under Sheriff, his Clerk, or Bailiff of Liberty or Franchise, so offending, to forfeit for every such Offence the Sum of Five Pounds; the one Moiety thereof to our Sovereign Lady the Queen's Majesty, and the other Moiety thereof to such Person and Persons as will sue for the same in any Court of Record, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection or Wager of Law shall be allowed to the Defendant.

V. And further be it ordained and enacted by the Authority aforesaid, That from and after the End of this present Session of Parliament, at or upon the Trial of any Issue joined in any Personal Action, no further Challenge for the Hundred shall be admitted, if Two sufficient Hundredors do appear at and upon the Trial of such Issue.

VI. Provided nevertheless, That all other Challenges, principal or for other Cause, shall be admitted, allowed and tried in such Order and Form, as if this Act had never been had or made.

VII. Provided also, That this Act shall not extend to any Juries or Issues to be returned in any City or Town Corporate, or other Town or Place privileged to hold Plea, or in the Twelve Shires of *Wales*; but that they shall and may be returned as heretofore they lawfully might have been; this Act or any Thing therein contained to the contrary in any wise notwithstanding.

C A P. VII.

An Act for the levying of Issues lost by Jurors.

WHEREAS there are within this Realm of *England*, in sundry Counties of the same, divers Freeholders of one Name, and often and sundry Times some one or more of them been returned and impanelled in Juries for Trial of Matters between Party and Party; and if it happen any one of them so re-

turned

‘ turned to make Default, or lose Issues, when the same are
 ‘ estreated to be levied, the Bailiff or other Collectors thereof,
 ‘ for Lucre and Gain, do demand and require the same of every
 ‘ one within the same County that is of that Name; and do per-
 ‘ suade every Person that is dwelling in that County, and so named,
 ‘ that he is the Party that hath lost those Issues, and compel him
 ‘ to pay the same by the Distress of his or their Goods and
 ‘ Chattels, to their great Molestation and Trouble; and yet never-
 ‘ theless many Times do detain and keep all the more Part of
 ‘ the Issues so collected, to their own Use, in Contempt of the
 ‘ Queen’s Majesty’s Laws, and to the great Grievance of her loving
 ‘ Subjects, and contrary to all Equity and good Conscience:’

Dwelling-place
 of Juror to be
 returned.

II. For Remedy whereof, Be it enacted by the Authority of
 this present Parliament, That from and after Forty Days after
 the End of this Session of Parliament, no Sheriff, Coroner or other
 Person to whom it shall appertain to make Return of any Writ,
 shall return any Juror dwelling out of any Liberty, without the
 true Addition of the Place of his Dwelling or Abode at the Time
 of the said Return, or within One Year next before the making of
 any such Return, or some other Addition, by which the Party re-
 turned may be known; nor any Juror within any Liberty, with
 other Addition than such as shall be delivered to him by the Bailiff
 of the said Liberty, or his Deputy, certified under his or their
 Hand; nor any Bailiff of any Liberty, nor any his or their Deputy
 or Deputies, shall of himself return any Juror, or deliver to the
 Sheriff, his Under Sheriff, Deputy or Deputies, the Names of any
 Persons to be returned upon any Panel or Jury, without the true
 Addition certified under his or their Hands to the Sheriff of the
 Place of Dwelling or Abode of every Person so to be returned at
 the Time of the said Return, or within one Year next before the
 said Return, or some other Addition, by which the Party returned
 may be known: And that no Extract of Issues against any Juror
 returned as aforesaid shall be delivered out, received or put in Ure,
 without such Addition as is put in the original Panel or *Tales*
 wherein such Juror shall be so returned: And that no Under
 Sheriff, Bailiff or other Officer or Person whatsoever, shall collect,
 levy or gather any Issues so estreated, of any other Person or Per-
 sons, than of such Person and Persons as by virtue of the said
 Estreat is of Right charged or chargeable with the Payment of the
 said Issues; upon Pain that every Clerk that shall write or deliver,
 or cause or procure any such Estreat to be delivered out, received
 or put in Ure, and every other Person offending contrary to the
 Intent and Meaning of this Act, shall forfeit to the Queen’s Majesty,
 her Heirs and Successors, Five Marks, and to the Party grieved,
 or which shall sustain any Loss thereby, the Sum of Five Marks
 of lawful *English* Money; all which Forfeitures and Penalties shall
 and may be recovered by Action of Debt, Bill, Plaint or Informa-
 tion, in any Court of Record, wherein no Essoin, Protection or
 Wager of Law shall be allowed.

In Extract of
 Issues against
 Juror, his Addi-
 tion shall be put.

Penalty

III. And be it further enacted by the Authority aforesaid, That
 Justices of *Oyer* and *Terminer* within the Limits of their Com-
 mission, Justices of Assize in their Circuits, and Justices of Peace,
 as well within Liberties as without, within the Limits of their
 Commission, shall by virtue of this present Act have full Power and
 Authority to inquire, hear and determine all and every the Offences

Who may de-
 termine Offences.

Continuance of
Act.

aforsaid, committed or to be committed within the several Limits, Circuit or Precinct of their several Commission or Commissions, and to award forth Process of Execution for the levying of the said Forfeitures. This Act to endure to the End of the next Parliament.

[*Made perpetual, 39 Eliz. c. 18. § 32.*]

C A P. VIII.

An Act for Redress of erroneous Judgments in the Court commonly called the King's Bench.

• **F**ORASMUCH as erroneous Judgments given in the Court
• called the King's Bench, are only to be reformed by the
• High Court of Parliament; which Court of Parliament is not in
• these Days so often holden as in ancient Time it hath been,
• neither yet (in respect of greater Affairs of this Realm) such
• erroneous Judgments can be well considered of and determined
• during the Time of the Parliament, whereby the Subjects of
• this Realm are greatly hindred and delayed of Justice in such
• Cases:

Appeal from
erroneous Judg-
ments in K. B.

II. Be it therefore enacted by the Authority of this present Parliament, That where any Judgment shall at any Time hereafter be given in the said Court of the King's Bench in any Suit or Action of Debt, Detinue, Covenant, Account, Action upon the Case, *Ejectiue firme*, or Trespass, first commenced or to be first commenced there, (other than such only where the Queen's Majesty shall be Party) the Party Plaintiff or Defendant, against whom any such Judgment shall be given, may, at his Election, sue forth out of the Court of Chancery a special Writ of Error to be devised in the said Court of Chancery, directed to the Chief Justice of the said Court of the King's Bench for the Time being, commanding him to cause the said Record, and all Things concerning the said Judgment, to be brought before the Justices of the Common Bench and the Barons of the Exchequer, into the Exchequer Chamber, there to be examined by the said Justices of the Common Bench and Barons aforesaid (a); which said Justices of the Common Bench, and such Barons of the Exchequer as are of the Coif, or Six of them at the least, by virtue of this present Act, shall thereupon have full Power and Authority to examine all such Errors as shall be assigned or found in or upon any such Judgment; and thereupon to reverse or affirm the said Judgment, as the Law shall require, other than for Errors to be assigned or found for or concerning the Jurisdiction of the said Court of King's Bench, or for any Want of Form in any Writ, Return, Plaint, Bill, Declaration or other Pleading, Process, Verdict or Proceeding whatsoever; and that after that the said Judgment shall be affirmed or reversed, the said Record and all Things concerning the same shall be removed and brought back into the said Court of the King's Bench, that such further Proceeding may be thereupon, as well for Execution as otherwise, as shall appertain. (a) [*Three Justices, &c. may receive and continue Writs of Error, 31 Eliz. c. 1. § 2.*]

Erroneous Judgment examined
in Parliament.

III. And be it further enacted, That such Reversal or Affirmation of any such former Judgment shall not be so final, but that the Party who findeth him grieved therewith, shall and may sue in
the

the High Court of Parliament for the further and due Examination of the said Judgment, in such Sort as is now used upon erroneous Judgments in the said Court of King's Bench.

[See 31. Eliz. c. 1. § 4.]

C A P. IX.

An Act for Reformation of Errors in Fines and Recoveries in the Twelve Shires of *Wales*, Town and County of *Haverford West*, with the Counties Palatine.

WHEREAS in the Parliament by Prorogation holden at *Westminster* in the Three and twentieth Year of her Majesty's Reign that now is, one good and beneficial Statute was made and ordained for the appeasing of Suits, the avoiding of false Practices, Deceits, Devices and Mildemeanors, and for helping of Negligences and Misprisions of Clerks and Officers, dangerous to Assurances of Mens Lands and Hereditaments, intituled, *An Act for the Reformation of Errors in Fines and Recoveries*: Forasmuch as the said Statute, or sundry good and necessary Clauses and Parts thereof, doth not extend to Fines and Recoveries levied, had and suffered in the Twelve Shires of *Wales*, that is to say, *Glamorgan, Brecknock, Radnor, Caermarthen, Pembroke, Cardigan, Mounigomery, Denbigh, Flint, Caernarvon, Anglesey and Merioneth*, the Town and County of *Haverford-west*, and the Counties Palatine of *Chester, Lancaster and Duresm*: Be it enacted by our Sovereign Lady the Queen's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That every Writ of Covenant, and other Writ whereupon any Fine heretofore hath been levied or hereafter shall be levied, the Return thereof, the Writ of *Dedimus potestatem* made for the acknowledging of any of the same Fines, the Return thereof, the Concord, Note and Foot of every such Fine, the Proclamations made thereupon, and the King's Silver, and also every original Writ of Entry in the *Post*, or other Writ whereupon any common Recovery hath been suffered, or hereafter shall be suffered or passed, the Writs of *Summon. ad Warrantizandum*, the Returns of the said Originals and Writs of *Summon. ad Warrantizandum*, and every Warrant of Attorney, had or to be had, as well of every Demandant and Tenant as Vouchee, extant and remaining, or that shall be extant and in being, in the Courts of Assizes or Great Sessions within the said Twelve Shires of *Wales*, Town and County of *Haverford-west*, and Counties Palatines, or in the Custody of the Officers to whom the Charge of keeping thereof doth appertain, may upon the Request or Election of any Person or Persons be inrolled in Rolls of Parchment by such Persons, and for such Considerations, as hereafter in this Act shall be mentioned: And that the Inrolments of the same, or any Part thereof, shall be of as good Force and Validity in the Law, to all Intents, Respects and Purposes, for so much of any of them so inrolled as the same being extant and remaining were or ought by Law to be.

23 Eliz. c. 3.

Inrolment of
Fines and Recoveries in *Wales*,
and Counties
Palatine.

II. Be it further enacted by the Authority aforesaid, That no Fine, Proclamations upon Fines, or common Recovery heretofore had, levied, suffered or passed, or hereafter to be had, levied, suffered or passed, in any of the said Twelve Shires of *Wales*, Town and

For what Errors,
Fines, &c. re-
versible,

and County of *Haverford-west*, or Counties Palatine, shall be reversed or reverſible by any Writ of Error for falſe or incongrue *Latin*, Raſure, Interlining, Miſentring of any Warrant of Attorney, or of any Proclamation, Miſreturning or not Returning of the Sheriff, or other Want of Form in Words, and not in Matter of Subſtance.

In what Caſes,
and what Per-
ſons may have
Writs of Error.

III. Provided always, That neither this Act, nor any Thing therein contained, ſhall bar or exclude any Perſon or Perſons from any Writ of Error which ſhall be had, taken or purſued within Five Years next after the End of this Seſſion of this preſent Parliament, upon any Fine or Recovery heretofore had or ſuffered in any of the Courts aforeſaid, nor from any Writ of Error which ſhall be had, taken or purſued, upon any Fine or Recovery heretofore levied, acknowledged or had in any of the ſaid Courts aforeſaid, within any of the ſaid Twelve Shires of *Wales*, or Town and County of *Haverford-west*: Which Fine or Recovery, or any Part or Parcel thereof, now is, or at any Time before the Firſt Day of *June*, which ſhall be in the Year of our Lord God One thouſand five hundred eighty five, ſhall be exemplified under the Judicial Seal of the ſaid Courts, at or by the Suit of any Perſon that is or may be intituled to have or ſue any Writ of Error upon any the ſame Fines or Recoveries ſo heretofore paſſed; nor from any Writ of Error which ſhall be had, taken or purſued upon any Fine or Recovery heretofore levied, acknowledged or had in any of the Courts aforeſaid, within any of the ſaid Counties Palatine; which Fine or Recovery, or any Part or Parcel thereof, now is, or at any Time before the ſaid Firſt Day of *June*, which ſhall be in the Year of our Lord God One thouſand five hundred eighty five, ſhall be exemplified under the Seal of the ſame County Palatine where the ſame Fine or Recovery ſhall be ſo levied, knowledgeed or had, at or by the Suit of any Perſon that is or may be intituled to have or ſue any Writ of Error upon the ſame Fine or Recovery ſo heretofore paſſed; nor to bar any Feme Covert, or any Perſon within the Age of One and Twenty Years, or any Perſon that is *Non compos mentis*, in Priſon or beyond the Seas, or of or from any Writ of Error to be had or proſecuted for the reverſing of any Fine or Recovery heretofore paſſed, levied or ſuffered in any of the ſaid Twelve Shires of *Wales*, Town and County of *Haverford-west*, or Counties Palatine: So that ſuch Feme Covert or her Heirs, within Seven Years next after that ſhe become Sole, and ſuch Perſon within the Age of One and twenty Years, or his Heirs within Seven Years next after he ſhall come and be of full Age of One and twenty Years, and ſuch Perſon that is *Non compos mentis*, within Seven Years next after he ſhall become of *ſana memoria*, and in Default thereof the Heirs of ſuch Perſon that is *Non compos mentis*, within Seven Years next after the Death of any ſuch Perſon being *Non compos mentis*, and ſuch Perſon in Priſon, or his Heirs within Seven Years next after the ſame Perſon ſhall be at Liberty, and ſuch Perſon beyond the Seas or his Heirs, within Seven Years next after the Return of ſuch Perſon into this Realm of *England*, or the Death of the ſaid Perſon, if he ſhall before his Return die in any foreign Country, ſhall ſue, take and proſecute their Writs of Error, as their Cauſes ſhall ſeverally require, for reverſing of any of the ſaid Fines or Recoveries heretofore paſſed, levied or ſuffered.

What Perſons
not barred.

IV. Provided always, and be it further enacted by the Authority aforesaid, That if any Person or Persons shall within the Time and Years aforesaid commence or sue his or their Writs of Error for the reversing of any the said Fines or Recoveries heretofore passed, which Suit shall fortune to abate by the Death of any of the Parties to the same; that then it shall and may be lawful for his and their Heirs, at any Time within one Year next after the said Seven Years expired to have, sue and take their Writ of Error for the reversing of every such Fine and Recovery; and if such Heir be an Infant within the Age of One and twenty Years, then within one Year next after the full Age of such Infant; any Thing in this present Act contained to the contrary thereof in any wise notwithstanding.

Ancestor dying
pending Suit.

Remedy.

V. And be it further enacted by the Authority of this present Parliament, That every Person that shall at any Time hereafter take the Knowledge of any Fine or Warrant of Attorney of any Tenant or Vouchee, for suffering any common Recovery to be levied, knowledge, passed or had, within any of the said Twelve Shires of *Wales*, Town and County of *Haverford-west* or Counties Palatine, or shall certify them or any of them, shall with the Certificate of the Concord or Warrant of Attorney certify also the Day and Year wherein the same was acknowledged: And that no Person that taketh any such Knowledge of any such Fine or Warrant for any Recovery shall be bound, or by any Means enforced to certify any such Knowledge of any such Fine or Warrant, except it be within one Year next after the said Knowledge taken.

Day and Year of
Acknowledg-
ment of a Fine,
&c. to be cer-
tified.

VI. And that no Clerk or Officer in any of the said Twelve Shires of *Wales*, Town and County of *Haverford-west* or Counties Palatine, shall receive any Writ of Covenant, or Writ of Entry, or any other Writ whereupon any Fine or common Recovery is hereafter to pass, unless the Day of the Knowledge of the same Fine and Warrant shall appear in or by such Certificate; upon Pain that every Clerk that shall receive any such Writ, shall forfeit for every Time that he shall so offend the Sum of Forty Shillings: And that no Attornment in or upon any such Fine in any of the Courts aforesaid be entred upon Record, except the Party mentioned to attorn therein, first have appeared in the Court in Person, or by Attorney warranted by the Hands of one of the Justices of the same Court, upon a Writ of *Quid Juris Clamat. Quem redditum redd.* or *Per que servitia*, as the Cause requireth: And that every Entry of Attornment hereafter to be made in any of the Courts aforesaid, wherein there shall be no Appearance as aforesaid, shall be utterly void and of none Effect, without any Writ of Error or other Means to be used for avoiding thereof.

Penalty.

Attornment.

VII. And be it further enacted by the Authority aforesaid, That there shall be for ever an Office for the Inrolments aforesaid in every of the said Twelve Shires of *Wales*, Town and County of *Haverford-west* and Counties Palatine, which shall be and continue an Office for ever, called the Office of the Inrolments of Fines and Recoveries; and that the Justices of the said Twelve Shires of *Wales*, Town and County of *Haverford-west* and Counties Palatine for the Time being, that is to wit, every of them within the Limits and Precincts of their several Authorities and Commissions, shall have and take the Care and Charge of and for the Inrolments

Offices of Inrol-
ments for *Wales*,
&c.

aforesaid, and shall have and enjoy the said Office and the Disposition thereof, and carefully see and look to the Execution thereof; and in Consideration of their Charges, Pain and Travel therein, shall have and take the Sums of Money hereafter following, and no more, that is to say, For the Inrolment and Examination of every Fine and the Parts thereof, Five Shillings; and for the Inrolment and Examination of every Recovery and the Parts thereof, Five Shillings; and for every Exemplification of the Inrolment of every Fine and the Parts thereof, Three Shillings Four pence; and for every Exemplification of the Inrolment of every Recovery and the Parts thereof, Three Shillings Four pence; and for the Search of the Rolls for one Year, Four pence; and for the Copy of one Sheet of Paper, containing Fourteen Lines, Four pence; And that the Justices of the said Courts of Assizes or Great Sessions for the Time being, within the said Twelve Shires of *Wales*, Town and County of *Haverford-west* and Counties Palatine, or any one of them, within the several Limits and Precincts of their said several Commissions, shall examine the Inrolment of every such Fine and Recovery and of the Parts thereof; and after such Examination of the Inrolment of every such Fine and Recovery and of the Parts thereof, shall immediately write his Name that so examineth, with his own Hand in the Roll thereof, upon Pain that the said Justices shall forfeit to our Sovereign Lady the Queen's Majesty, the Sum of Forty Shillings for every Time that they or one of them shall make Default of such Examination or Writing of his or their Names as is aforesaid; and that it shall and may be lawful for the said Justices or any of them for the Time being, to take Order in all Things that shall be convenient and needful for the Inrolment aforesaid; and upon Examination in the said Courts, to assess such Fine or Amerciament upon any Clerk, Sheriff, Deputy, Attorney or any other Person for his or their Misprison, Contempt and Negligence, for not doing or misdoing in any Thing, of, in or concerning the said Fines or Recoveries, or any Part of them or either of them, as by the said Justices for the Time being or any one of them shall be thought meet and convenient; the said Fine and Amerciament to be estreated amongst other Fines and Amerciaments of that Court where such Offence or Misprison shall be committed.

Fee.

Penalty.

Assessing of Fines
for Misprison,
&c.

Force of Exemplification.

VIII. And be it further enacted by the Authority aforesaid, That the Exemplification of any such Inrolment of any Fine or Recovery, or of any Part thereof, within any of the said Twelve Shires of *Wales*, or the said Town and County of *Haverford-west*, under the Judicial Seal of the said Shire, Town or County, where such Fine or Recovery was levied, had or passed, and the Exemplification of any such Inrolment of any Fine or Recovery, or of any Part thereof within any of the said Counties Palatine, under the Seal of that County Palatine where such Fine or Recovery was levied, had or passed, shall be of as good Force and Validity in the Law, to all Intents, Respects and Purposes, for such Part and so much of any of them as shall be so exemplified, as the very original Record itself, being extant and remaining, were or ought by Law to be.

Records not to
be carried forth
of Offices.

IX. Provided always, and be it enacted by the Authority aforesaid, That it shall be lawful for the Justices Clerks, authorized by their Warrant in the said several Offices and Places where the same

same Records or any of them do or shall remain, to write out or inrol the same Records and every Part thereof, and that the said Records nor any of them, for the writing out or making the Rolls thereof by the Clerks of the said Justices, shall be brought or carried forth of the said Offices or Places.

X. And be it further enacted by the Authority aforesaid, That none of the said Fines or Recoveries aforesaid heretofore levied, passed or suffered, which shall be exemplified under any Judicial Seal of any of the said Shires of *Wales*, or Town or County of *Haverford-west*, or under the Seal of any of the said Counties Palatine, according to the Form of this Act, shall after such Exemplifications had, be in any wise amended. Amending Fine or Recovery.

XI. Provided always, That this Act, or any Thing therein contained, shall not in any wise extend to the Prejudice of the Heirs of Sir *Edward Grey* Knight, Lord *Powys* deceased, or of Sir *Edward Herbert* Knight, or his Heirs or Assigns, *Harry Vernon* or *John Vernon*, Esquires, or their Heirs or Assigns, for or concerning any Fine levied, or Recovery suffered, by or against the said Lord *Powys*, of any Baronies, Honours, Manors, Lands, Tenements or Hereditaments in the County of *Montgomery*, or any Exemplification thereof, or for or concerning any Writ of Error brought or to be brought for the reversing of any such Fine or Recovery, but that they and every of them shall have and enjoy the same Right, Title, Benefit and Advantage to all Intents and Purposes, as if this Act had never been had or made. Proviso for the Heirs of Lord Powys.

XII. And sofarasmuch as upon great Examination it appeareth, That divers Fines and Recoveries have been heretofore levied and suffered of divers Castles, Manors, Messuages, Lands, Tenements and Hereditaments, which sometime were the Inheritance of *George* sometime Earl of *Kent*, Great Grandfather to *Henry* now Earl of *Kent*, in Use, Possession, Reversion or Remainder, whereunto the said now Earl of *Kent* pretended Title, in Use, Possession, Reversion or Remainder, which, if they be erroneous as is pretended, do much vary from the general Cause and Mischief for which this Statute meaneth to provide: Be it therefore enacted by the Authority aforesaid, That neither this Statute, nor any Thing therein contained, shall extend to take away any Writ of Error whereunto any Person or Persons is now, or hereafter shall be, lawfully intituled to have, for the reversing of the said Fines and Recoveries or any of them, heretofore levied or suffered of any of the said Castles, Manors, Messuages, Lands, Tenements or Hereditaments which late were any Part or Parcel of the Inheritance of the said *George*, sometime Earl of *Kent*, in Use, Possession, Reversion or Remainder; any Thing in this Statute contained to the contrary thereof in any wise notwithstanding. Earl of Kent, his Title.

C A P. X.

An Act for the Continuance of a former Statute, intituled, *An Act to redress Disorders in common Informers upon Penal Statutes*, made in the Eighteenth Year of the Queen's Majesty's Reign.

WHERE in the Parliament holden at *Westminster* the Eighth Day of *February*, in the Eighteenth Year of the Reign of our most gracious Sovereign Lady Queen *Elizabeth*, there was, 18 Eliz. c. 5.
amongst
E c 4

amongst others, an Act made, intituled, *An Act to redress Disorders in common Informers upon Penal Laws*, which Act is to continue in Force and Effect but unto the End of this Session of this present Parliament; forasmuch as the said Act is found by Experience since the making of the same Act to be very necessary, beneficial and expedient for the Commonwealth:

Made perpetual.

II. Be it therefore enacted by the Authority of this present Parliament, That the same Act above remembred, and all and every the Branches, Clauses and Provisions in the same contained, shall remain, continue and be from henceforth in full Force and Effect for ever.

C A P. XI.

EXP.

An Act for the Reviving, Continuance, Explanation and perfecting of divers Statutes,

“ Certain Statutes made in the Reigns of King *Hen. 8.* King *Edw. 6.* and Queen *Eliz.* revived, and made to continue until the End of the next Parliament. § 1.

Pins may be imported.

II. Provided always, and be it enacted by the Authority aforesaid, That from henceforth it shall and may be lawful to all and every the Queen's Majesty's Subjects to bring into this Realm all and all manner of Pins made beyond the Seas; any Act or Statute to the contrary notwithstanding.

§ Eliz. c. 5.

III. Provided also, and be it likewise enacted, That so much and such Part and Parts of the Statute only made in the said Fifth Year of the Queen's Majesty's Reign that now is, intituled, *An Act touching certain politic Constitutions made for the Maintenance of the Navy*, as concern the eating of Fish or restrain the eating of Flesh, or prohibiting the suffering of any Flesh to be eaten upon any *Wednesday*, not being before the making of the said Statute by the Laws of this Realm used as a Fish Day; and every Matter, Clause, Article and Penalty in the said Statute contained, concerning the same, shall so far forth only as they concern the same, from henceforth be repealed, cease and be utterly void; any Thing in the said Statute contained to the contrary notwithstanding.

repealed.

On what Days Sea Fish may be sold.

IV. And for the better Encouragement of Fishermen to go to the Seas, and to bestow their Time and Trouble in Fishing, Be it enacted by the Authority of this present Parliament, That from henceforth it shall and may be lawful to and for every the Queen's Highness Subjects, to utter and sell all manner of Sea Fish upon any Flesh Day in the Week, other than the *Sundays*, in every City, Borough, Town Corporate or Market Town whatsoever, within this Realm; any Privilege, Charter or Prescription to the contrary notwithstanding.

Fish Days to be observed.

V. And to the Intent that the *Fridays*, *Saturdays* and Days appointed by former Laws to be Fish Days, may the better be observed for the Utterance and Expence of Fish, and for the sparing of Flesh, Be it enacted, That from the Feast of *Pentecost* next ensuing, no Innholder, Taverner, Alehouse Keeper, common Victualler, common Cook or common Table Keeper, shall utter or put to Sale, or cause to be uttered or put to Sale upon any the said Days not being *Christmas Day*, or upon any Day in the Time of *Lent*, any Kind of Flesh Victuals, (except it be to such Person and Persons resorting to his or their said House or Houses as have

have or shall have lawful Licence to eat the same) according to the Tenor and true Meaning of the said Statute made in the said Fifth Year of the Reign of the Queen's Highness that now is, upon Pain of Forfeiture of Five Pounds, and shall also suffer Ten Days Imprisonment without Bail, Mainprize or Remover for every Time so offending; One Third Part thereof to be to the Queen's Majesty, her Heirs and Successors, one other Third Part thereof to the Lord or Lords of the Leet for the Time being where such Offence shall be committed, and the other Third Part thereof to him or them that will sue for the same in any her Majesty's Courts of Record, by Action of Debt, Bill, Plaint or Information, in which no Escoin, Protection or Wager of Law shall be allowed; and the said Offence and Offences by virtue of this Statute shall be inquired of, heard and determined in Manner and Form as is expressed for the Offences contained in the said Statute made in the said Fifth Year of her Majesty's said Reign: Saving always unto the Cinque Ports, and to the Town of *Great Yarmouth*, all such lawful Liberties as they now have by reason of any former Act of Parliament or Charter touching the free Fair yearly to be holden at the said Town of *Great Yarmouth*.

Penalty.

Saving.

VI. Provided always, That no Person or Persons shall be sued, vexed or troubled for any Offence or Offences contrary to the Statute or Statutes now continued for and concerning Tillage, unless the Information, Action or Suit be or shall be brought for the Punishment of such Offence or Offences within Two Years next after the Suit or Action, or Title of Action or Suit shall be devolved or accrued to the Person or Persons that shall so sue or inform against the Offender or Offenders; and that every Information upon any the said Statutes of Tillage to be exhibited for the Queen's Majesty, her Heirs and Successors only, shall be brought within Five Years after the Action or Information accrue to her Highness, her Heirs or Successors.

Proviso.

VII. This Act to continue till the End of the next Parliament now next ensuing.

Continuance of Act.

[Continued, 35 *Eliz. c. 7. § 16. 19. and until the End of the next Parliament, 39 *Eliz. c. 18. § 18. 41.**]

C A P. XII.

An Act for the Swearing of Under Sheriffs and other Under Officers and Ministers.

FORASMUCH as grievous Complaints are many Times made of the Misdemeanor and evil Behaviour of Under Sheriffs, who oftentimes having to them committed by the High Sheriff the Whole or Part of the exercising and executing of the Office of the High Sheriff, and not taking any corporal Oath as the High Sheriff doth, for the executing and discharging of the same Office, do therefore daily most injuriously, through Corruption and Affection, impanel Jurors for the Queen's Majesty, and betwixt Party and Party, to the great Loss, Damage and Hindrance of divers her Majesty's loving Subjects of this Realm:

II. For Reformation whereof, Be it enacted by the Authority of this Parliament, That all and every Person and Persons, that from and after the last Day of the Session of this present Parliament,

ment, shall be admitted to or take upon him the executing of the Office of an Under Sheriff in any Shire or County within this Realm of *England*, before he intermeddle with the Use or Exercise of the said Office, shall receive and take a corporal Oath upon the holy Evangelists, before the Justices of Assise or One of them of the same Circuit wherein that County is whereof he shall be Under Sheriff, or before the *Custos Rotulorum*, or Two Justices of the Peace whereof One to be of the *Quorum*, of the said County whereof he shall be Under Sheriff as aforesaid, for and concerning the Supremacy, in such Manner and Form as that Oath is expressed and declared in one Act of Parliament made and ordained in the First Year of the Reign of our said Sovereign Lady the Queen's Majesty, together with which Oath he shall in like Sort, before the same Person or Persons, receive and take another corporal Oath as followeth; (that is to say),

2 Eliz. c. 2.
Oath of Supremacy.

Under Sheriff's
Oath.

' I *A.B.* shall not use or exercise the Office of Under Sheriff corruptly during the Time that I shall remain therein, neither shall or will accept, receive or take, by any Colour, Means or Device whatsoever, or consent to the taking of any Manner of Fee or Reward of any Person or Persons for the Impanelling or Returning of any Inquest, Jury or *Tales*, in any Court of Record, for the Queen, or betwixt Party and Party, above Two Shillings or the Value thereof, or such Fees as are allowed and appointed for the same by the Laws and Statutes of this Realm, but will according to my Power, truly and indifferently, with convenient Speed, impanel all Jurors, and return all such Writ or Writs touching the same as shall appertain to be done by my Duty or Office, during the Time that I shall remain in the said Office.

So help me GOD.'

And likewise be it enacted by the Authority aforesaid, That this Act shall be a sufficient Warrant to the Persons appointed by this Act to minister the Oath aforesaid, for the ministering thereof accordingly.

Under Sheriff
chosen at Time
of Statute
making.

III. And be it further enacted by the Authority aforesaid, That every Under Sheriff that is already chosen and appointed for the executing of the said Office of Under Sheriff for the Year or Time begun, of or upon the last Change of Sheriffs, shall within Forty Days next ensuing the Sessions of this present Parliament receive and take the Oaths mentioned in this Act, before such Person or Persons, as by this Act is or are limited and appointed to minister the same.

Bailiffs of Franchises,
&c. to
take the Oath.

IV. And be it further enacted by the Authority aforesaid, That every Bailiff of Franchises, Deputy and Clerk of every Sheriff and Under Sheriff, and every other Person and Persons, which after Forty Days after the End of this Session of Parliament shall have Authority, or take upon him to impanel or return any Inquest, Jury or *Tales*, or to intermeddle with Execution of Process in any Court of Record, shall, before he or they intermeddle with any further Execution thereof, receive and take the Oaths aforesaid corporally, before the Person or Persons appointed by this Act to minister the same, or before the Head Officer of the Place, if it be a Town Corporate, changing only the Words (the Office of the Under Sheriff) contained in the Oath expressed in this Act, to such Words as are convenient for the Deputation, Office or Place in which the Party which taketh the Oath is to

be

be exercised in; and if any the said Persons limited to take the Oath aforesaid, do take upon him to impanel or return any Inquest, Jury or Tales, or to intermeddle with the Execution of Process, not having before taken the Oaths aforesaid, that then every Person shall lose and forfeit the Sum of Forty Pounds of current *Engl:sh* Money, the One Moiety to be to the Use of our Sovereign Lady the Queen, the other Moiety to him or them that will sue for the same.

Penalty.

V. And be it further enacted by the Authority aforesaid, That if any Under Sheriff, or other Person mentioned in this Act, or any of them, at any Time and Times, from and after Forty Days next ensuing the last Day of this present Session of Parliament, shall do or commit any Act or Acts contrary to the Oaths aforesaid, or either of them, or contrary to the true Intent and Meaning of this Act, that then every such Person so offending shall forfeit and lose for every such Offence to the Party or Parties grieved, his or their Treble Damages; all which several Forfeitures before mentioned shall or may, by the Authority of this present Act, be recovered, had and levied by Action of Debt, Bill, Plaint or Information, in any of the Queen's Majesty's Courts of Record, in which Actions, Suits, Plaints or Informations, no Wager of Law, Essoign or Protection shall be allowed.

Forfeitures how to be recovered.

Treble Damages.

VI. And be it further enacted by the Authority aforesaid, That the Justices of Assize, and Justices of Peace in their open Sessions, shall have full Power within the Limits of their Authority, to hear and determine the Defaults done contrary to this Act, as well by Presentment and Information as Indictment; and upon Conviction of the Offenders, to award Execution for the levying of the Forfeitures aforesaid, by *Fieri facias*, or by Attachment, *Capias* or *Exigent*.

Who may determine Offences.

C A P. XIII.

An Act for the following of Hue and Cry.

WHEREAS by Two ancient Statutes, the one made in the Parliament holden at *Winchester* in the Thirteenth Year of the Reign of King *Edward* the First, and the other in the Eight and twentieth Year of the Reign of King *Edward* the Third, it was for the better repressing of Robberies and Felonies (amongst other Things) enacted to this Effect, that if the Country do not answer for the Bodies of such Malefactors, that then the Pain should be such, that is to wit, That the People dwelling in the Country shall be answerable for the Robberies done, and the Damages, so that the whole Hundred where the Robbery shall be done, with the Franchises which are within the Precinct of the same Hundred, shall answer the Robberies done; and if the Robbery chance to be done in the Division of Two Hundreds, that then both the Hundreds together, with the Franchises within the Precinct of them, shall be answerable, as in the said Two several Statutes it doth more at large appear:

13 E. 1. Stat.
Wynt. cc. 1, 2 &
6. 28 E. 3. c. 12.

II. Forasmuch as the said Parts of the said several Statutes being of late Days more commonly put in Execution, than heretofore they have been, are found by Experience to be very hard and extreme to many of the Queen's Majesty's good Subjects, because by the same Statutes they do remain charged with

the

the Penalties therein contained, notwithstanding their Inability to satisfy the same, and though they do as much as in Reason might be required in pursuing such Malefactors and Offenders, whereby both large Scope of Negligence is given to the Inhabitants and Resiants in other Hundreds and Counties, not to prosecute the Hue and Cry made, followed and brought unto them, by reason they are not chargeable for any Portion of the Goods robbed, nor with any Damages in that Behalf given, and also great Encouragement and Emboldening is likewise given unto the Offenders, to commit daily more Felonies and Robberies, as seeing it in manner impossible for the Inhabitants and Resiants of the said Hundred and Franchises wherein the Robbery is committed, to apprehend them without the Aid of the other Hundreds and Counties adjoining; and for that also the Party robbed having Remedy by the foresaid Statutes for the recovering of his Goods robbed and Damages against the Inhabitants and Resiants of the Hundred wherein the Robbery was committed, is many Times negligent and careless in prosecuting and pursuing the said Malefactors and Offenders: Our Sovereign Lady the Queen's Majesty, not willing therefore that her People should be impoverished by any such Pain or Penalty which should be hard or grievous to them, and having special Regard to abate the Power of Felons, and to repress Felonies, doth for Remedy hereof, with the Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same Parliament, establish and enact, That the Inhabitants and Resiants of every or any such Hundred (with the Franchises within the Precinct thereof) wherein Negligence, Fault or Defect of Pursuit and fresh Suit, after Hue and Cry made, shall happen to be, from and after Forty Days next after the End of this present Session of Parliament, shall answer and satisfy the One Moiety or Half of all and every such Sum and Sums of Money and Damages, as shall by force or virtue of the said Statutes or either of them be recovered or had against or of the said Hundred, with the Franchises therein, in which any Robbery or Felony shall at any Time hereafter be committed or done, and that the same Moiety shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of the Queen's Majesty's Courts of Record at *Westminster*, by and in the Name of the Clerk of the Peace for the Time being, of or within every such County within this Realm, where any such Robbery and Recovery by the Party or Parties robbed shall be, without naming the Christian Name or Surname of the said Clerk of the Peace; which Moiety so recovered shall be to the only Use and Behoof of the Inhabitants of the said Hundred where any such Robbery or Felony shall be committed or done.

III. And be it further enacted by the Authority aforesaid, That if any Clerk of the Peace, of or in any County within this Realm, shall at any Time hereafter commence or prefer any such Suit, Action or Information, and shall after the same so sued, commenced or preferred, happen to die or to be removed out of his Office before Recovery and Execution had; that yet no such Action, Suit, Bill, Plaint or Information, sued, commenced or preferred, shall by such displacing or Death be abated, discontinued or ended; but that it shall and may be lawful to and for

The Hundred
not making fresh
Suit.

Death or Re-
moval of Clerk
of the Peace
shall not cease
Suit.

the

the Clerk of the Peace next succeeding in the said County, to prosecute, pursue and follow all and every such Action, Bill, Complaint, Suit and Information for the Causes aforesaid, so hanging and depending, in such Manner and Form, and to all Intents and Purposes, as that Clerk of the Peace might have done which first commenced or preferred the said Suit, Bill, Complaint or Information.

IV. And although the whole Hundred where such Robberies and Felonies are committed, with the Liberties within the Precinct thereof, are by the said Two former Statutes charged with the answering to the Party robbed his Damages, yet nevertheless the Recovery and Execution by and for the Party or Parties robbed, is had against one or a very few Persons of the said Inhabitants, and he and they so charged have not heretofore by Law had any Mean or Way to have any Contribution of or from the Residue of the said Hundred where the said Robbery is committed, to the great Impoverishment of them against whom such Recovery or Execution is had :

V. For Remedy whereof, Be it enacted by the Authority aforesaid, That after Execution of Damages by the Party or Parties so robbed had, it shall and may be lawful (upon Complaint made by the Party or Parties so charged) to and for Two Justices of the Peace (whereof One to be of the *Quorum*) of the same County inhabiting within the said Hundred, or near unto the same, where any such Execution shall be had, to assess and tax rateably and proportionably, according to their Discretions, all and every the Towns, Parishes, Villages and Hamlets, as well of the said Hundred where any such Robbery shall be committed, as of the Liberties within the said Hundred, to and towards an equal Contribution to be had and made for the Relief of the said Inhabitant or Inhabitants against whom the Party or Parties robbed before that Time had his or their Execution ; and that after such Taxation made, the Constables, Constable, Headboroughs or Headborough of every such Town, Parish, Village and Hamlet, shall by virtue of this present Act have full Power and Authority within their several Limits, rateably and proportionably to tax and assess according to their Abilities, every Inhabitant and Dweller in every such Town, Parish, Village and Hamlet, for and towards the Payment of such Taxation and Assessment as shall be so made upon every such Town, Parish, Village and Hamlet as aforesaid, by the said Justices ; and that if any Inhabitant of any such Town, Parish, Village or Hamlet, shall obstinately refuse and deny to pay the said Taxation and Assessment, so by the said Constables, Constable, Headboroughs or Headborough taxed and assessed, that then it shall and may be lawful to and for the said Constables and Headboroughs, and every of them within their several Limits and Jurisdictions, to distrain all and every Person and Persons so refusing and denying, by his and their Goods and Chattels ; and the same Distress to sell, and the Money thereof coming to retain to the Use aforesaid ; and if the Goods or Chattels so distrained and sold shall be of more Value than the said Taxation shall come unto, that then the Residue of the said Money, over and above the said Taxation, shall be delivered unto the said Person or Persons so distrained.

VI. And be it further enacted, That all and every the said Constables and Headboroughs, after that they have within their several

Remedy for those against whom Recovery and Execution had.

Taxation by Constables.

Distress.

Constables to deliver Money collected to several Justices.

several Limits and Jurisdictions levied and collected their said Rates and Sums of Money so taxed, shall within Ten Days after such Collection, pay and deliver the same over unto the said Justices of Peace or One of them, to the Use and Behoof of the said Inhabitant or Inhabitants for whom such Rate, Taxation and Assessment shall be had or made as aforesaid, which Money so paid shall, by the Justices or Justice so receiving the same, be delivered over (upon Request made) unto the said Inhabitant or Inhabitants to whose Use the same was collected.

Contribution
levied in Hun-
dred.

VII. And be it further enacted by the Authority aforesaid, That the like Taxation, Assessment, Levying by Distress and Payment as aforesaid, shall be had and done within every Hundred where Default or Negligence of pursuit and fresh Suit shall be, for and to the Benefit of all and every Inhabitant and Inhabitants of the same Hundred where such Default shall be, that shall at any Time hereafter by virtue of this present Act have any Damages or Money levied of them, for or to the Payment of the One Moiety or Half of the Money recovered against the said Hundred where any Robbery shall be hereafter committed.

No Penalty
where Offenders
apprehended.

VIII. Provided also, and be it further enacted by the Authority aforesaid, That where any Robbery is or shall be hereafter committed by Two or a greater Number of Malefactors, and that it happen any One of the said Offenders to be apprehended by pursuit to be made according to the said former mentioned Laws and Statutes, or according to this present Act; that then and in such Case no Hundred or Franchise shall in any wise incur or fall into the Penalty, Loss or Forfeiture mentioned either in this present Act or in any the said former Statutes, although the Residue of the said Malefactors shall happen to escape and not to be apprehended; any Thing in this Statute, or in the said former Statutes to the contrary notwithstanding.

Limitation of
Suit.

IX. Provided also, That no Person or Persons hereafter robbed shall take any Benefit by virtue of any the said former Statutes to charge any Hundred where any such Robbery shall be committed, except he or they so robbed shall commence his or their Suit or Action within One Year next after such Robbery so to be committed.

How Hue and
Cry made.

X. And be it further enacted by the Authority aforesaid, That no Hue and Cry or Pursuit hereafter to be done or made by the Country, or Inhabitants of any Hundred, shall be allowed and taken to be a lawful Hue and Cry or Pursuit upon or after any the said Felons or Offenders, except the same Hue and Cry or Pursuit be done and made by Horsemen and Footmen; any Usage or Custom to the contrary notwithstanding.

Party robbed to
give Notice;

XI. And be it further also enacted by the Authority of this present Parliament, That no Person or Persons that shall hereafter happen to be robbed shall have or maintain any Action, or take any Benefit by virtue of the said Two mentioned Statutes or either of them, except the same Person and Persons so robbed shall, with as much convenient Speed as may be, give Notice and Intelligence of the said Felony or Robbery so committed unto some of the Inhabitants of some Town, Village or Hamlet near unto the Place where any such Robbery shall be committed; nor shall bring or have any Action upon and by virtue of any the Statutes aforesaid, except he or they shall first, within Twenty Days next before such
Action

Action to be brought, be examined upon his or their corporal Oath, to be taken before some one Justice of the Peace of the County where the Robbery was committed, inhabiting within the said Hundred where the Robbery was committed, or near unto the same, whether he or they do know the Parties that committed the said Robbery, or any of them; and if upon such Examination it be confessed that he or they do know the Parties that committed the said Robbery, or any of them, that then he, or they so confessing shall, before the said Action be commenced or brought, enter into sufficient Bond by Recognizance before the said Justice before whom the said Examination is had, effectually to prosecute the same Person and Persons so known to have committed the said Robbery, by Indictment or otherwise, according to the due Course of the Laws of this Realm.

shall be examined
before Justice
whether he know
Offenders.

[Enlarged, 39 Eliz. c. 25. and see 8 G. 2. c. 16. 22 G. 2. c. 24.]

C A P. XIV.

An Act for the reviving of a former Statute, for the true making of Malt.

• WHEREAS in the Parliament holden at *Westminster*, upon
• Prorogation, the Fourth Day of *November* in the Second
• Year of the Reign of the late King of most famous Memory
• King *Edward* the Sixth, most dear Brother to our Sovereign
• Lady the Queen's Majesty that now is, there was, amongst other
• Things, one good and necessary Act of Parliament made and
• established, intituled, *An Act for the true making of Malt*, which
• said Statute was after discontinued, and so resteth and remaineth
• as yet, albeit in Truth, during the Continuance thereof, the
• same did much Good to the Commonwealth, and so would it
• do still, if the same might be revived and stand in force as here-
• tofore it hath done :

2 & 3 E. 6. c. 10.

II. In Consideration whereof, may it please her Highness, with the Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, that it may be enacted, That the said former Act and Statute above mentioned, and every Branch, Article and Proviso therein contained, shall be revived, and from henceforth continue, stand and endure in Force and Strength to all Intents, Contructions and Purposes, and shall be observed and kept in all Things, according to the Tenor, Effect and true Meaning of the same. This Act to continue for the Time of Three Years now next following after the End of this present Session of Parliament, and after the End of the said Three Years, then to the End of the Parliament then next after following.

revived for Three
Years.

Continuance
of Act.

[Continued, 3 Car. 1. c. 4. § 18. 22. 16 Car. 1. c. 4.]

C A P. XV.

An Act for the bringing in of Staple Fish and Herrings into this Realm. EXP.

C A P. XVI.

An Act touching Artificers using the Cutting of Leather.
EXP.

C A P.

C A P. XVII.

An Act touching the Breadth of white Woollen Cloths made within the Counties of *Somerſet, Wilts Glouceſter* and *Oxon*, &c.

5 & 6 E. 6. c. 6.

WHEREAS in the Parliament holden at *Weſtmiſter* in the Fifth and Sixth Years of the Reign of our late Sovereign Lord King *Edward* the Sixth (a), one Statute was made, intituled, *An Act for the true making of Woollen Cloth*, whereby (among other Things) it was enacted, That all Whites and Reds, which after the Feaſt of *St. Michael* the Archangel then next coming ſhould be made in the Shires or Counties of *Wilts, Glouceſter* and *Somerſet*, or any of them, or elſewhere of like making, and all other Whites which ſhould be made in any other Parts of this Realm of *England*, and not before in the ſame Statute remembred, ſhould contain in Length, being thorough wet, between Six and Eight and twenty Yards, and ſhould be Seven Quarters of the Yard in Breadth within the Liſts, at the leaſt, and liſted according to the ancient Cuſtom; and being well ſcoured, thicked, milled and fully dried, ſhould weigh every Piece Sixty four Pounds being white, and Sixty Pounds being coloured, at the leaſt, as by the ſaid Act, among divers Clauſes, Articles and Proviſions contained in the ſame more plainly is expreſſed. (a) [*Repealed*, 49 G. 3. c. 109. § 1.]

4 & 5 P. & M. c. 5.

II. And whereas alſo in the Parliament holden at *Weſtmiſter* in the Fourth and Fifth Years of the Reigns of our late Sovereign Lord and Lady King *Philip* and Queen *Mary*, one other Statute was made, intituled, *An Act touching the making of Woollen Clothes* (b), whereby alſo (amongſt other Things) it was ordained, eſtabliſhed, enacted and provided, That every white Cloth which ſhould be made in the Counties of *Wilts, Glouceſter* and *Somerſet*, or any of them, or elſewhere of like making, appointed by the ſaid Act made in the ſaid Fifth and Sixth Years of King *Edward* the Sixth to weigh Threeſcore and four Pound, ſhould weigh, being well ſcoured, thicked, milled and fully dried, Threeſcore and one Pound at the leaſt, with a Proviſion in the ſame laſt recited Act contained, That no Perſon or Perſons ſhould incur the Danger, Penalty or Forfeiture limited and appointed for any Offence in the ſaid former recited Act, which was mitigated, or otherwiſe appointed by the ſame Act made in the Fourth and Fifth Years of King *Philip* and Queen *Mary*, as by the ſame Act made in the Fourth and Fifth Years of King *Philip* and Queen *Mary*, amongſt divers Clauſes, Articles and Proviſoes therein contained, more plainly is expreſſed: Sithence the making of which ſaid ſeveral Statutes, although the Makers of the ſaid Clothes have endeavoured themſelves, according to their beſt Skill and Induſtry, to perform and fulfil the ſaid recited Statute in every of their Clothes, as much as in them did lie, as touching the Breadth of Clothes; and to that End and Purpoſe have allowed and do allow ſo much Yarn and Stuff to every ſuch Cloth as might ſufficiently ſerve to make all the ſaid Clothes full out in Length and Breadth, according to the ſaid former Statute made in the Fifth

(b) [*Repealed*, 49 G. 3. c. 109. § 1.]

and

and Sixth Years of King *Edward* the Sixth, and in Weight according to the said Branch of the said Statute made in the Fourth and Fifth Years of the Reigns of the late King *Philip* and Queen *Mary*; yet notwithstanding many Times, by reason of the divers Natures in the Wools, and by the great Diversities in the spinning, carding and milling, many of the said Clothes made within the said Counties of *Wilts*, *Gloucester*, *Somerset* and *Oxon*, and elsewhere of like making, do not contain full Seven Quarters in Breadth, according to the said Statute made in the Fifth and Sixth Years of King *Edward* the Sixth, and yet do hold their full Weight or more, according to the former Statute made in the Time of the said King *Philip* and Queen *Mary*, and no Default touching the Breadth can justly be imputed to the Maker thereof, for that the said Cloth-makers (as Experience daily sheweth) cannot observe the said former Statutes in all the said Clothes, as touching the Breadth, although they endeavour themselves never so much thereunto; which Clothes not containing their full Assize in Breadth, as is aforesaid, are many Times taken and seized by the Searchers of *London* when they come to their Market at *Blackwell Hall*, to the great Loss and Damage of the said Cloth Makers, and to the great Hindrance of Cloth making within the said Counties:.

III. In Consideration whereof, albeit it is not hereby intended to repeal or make void the said former recited Estatutes, or either of them, otherwise than is hereafter expressed, yet nevertheless, be it enacted, &c.

[Made perpetual, 35 Eliz. c. 7. § 30. but repealed as to over Lengths of Cloths, 43 Eliz. c. 10. § 9; and the rest of the Act repealed, 49 G. 3. c. 129. § 1.]

C A P. XVIII.

An Act concerning making of Woollen Cloths in the Counties of *Devon* and *Cornwall*, called plain white Straights and pinned white Straights.

[Repealed, 49 G. 3. c. 109. § 1.]

C A P. XIX.

An Act for the Preservation of Timber in the Wilds of the Counties of *Suffex*, *Surrey* and *Kent*, and for the Amendment of Highways decayed by Carriages to and from Iron Mills there.

WHEREAS by the over great Negligence or Number of Iron Works which have been and yet are in the Wilds of the Counties of *Suffex*, *Surrey* and *Kent*, it is thought that the great Plenty of Timber which hath grown in those Parts hath been greatly decayed and spoiled, and will in short Time be utterly consumed and wasted, if some convenient Remedy therein be not timely provided: Be it therefore enacted by our Sovereign Lady the Queen's Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assenbled, and by the Authority of the same, That no Person or Persons, from and after the Feast of *Easter* next after the End of this pre-

No new Iron Mills shall be made in *Suffex*, *Surrey* or *Kent*.

sent Session of Parliament, shall make, erect, build or new set up, at or in any Place within the Counties of *Suffex*, *Surrey* or *Kent*, or any of them, any Manner of Iron Mills, Furnace, Finary or Blomary, for the making and working of any Manner of Iron or Iron Metal; other than either upon such old and former Bays or Pens, whereupon hath lately been, or at the Time of the new Erection shall be then standing some Iron Mills, Furnace or Hammer, or else in and upon such Lands as the Party or Parties so erecting any such intended new Work, shall continually furnish the same with sufficient Supply of his or their own proper Woods standing or growing in and upon his or their own proper Soil or Land, being to him or them in Fee Simple, Fee Tail or for Term of Life or Lives, without Impeachment of Waste, at the least and not otherwise; nor shall convert or employ, or cause to be converted or employed, to Coals or other Fuel, for the making or working of Iron or Iron Metal, in or about any Manner of Iron Mills, Furnace, Hammer, Finary, Forge or Blomary, the Body or Bodies of any sound Timber Tree or Trees, apt for the making of good and sufficient Cleft Wares, or Sawing Timber of Oak, Ash or Elm, growing of the Breadth or Bigness of One Foot square at the Stub, or any Part of the same Body or Bodies of any such Tree or Trees; upon Pain of Forfeiture for every Iron Mill, Furnace, Forge, Finary or Blomary, made, erected, builded or set up, contrary to the Tenor and true Meaning of this Act, the Sum of Three hundred Pounds; and for every Body of every such Timber Tree so employed or converted to Coal or other Fuel for the making or working of Iron as is aforesaid, the Sum of Forty Shillings of lawful Money of *England*; the One Half of which Forfeitures to be to our Sovereign Lady the Queen's Majesty, her Heirs and Successors, and the other Half to him or them that will sue for the same by original Writ, Bill, Plaint or Information, wherein no Eftoin, Protection or Wager of Law shall be admitted or allowed.

Employing Timber in making of Iron.

Penalty.

Penalty.

What Tops or Offals of Timber may be employed in Iron Works.

II. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Owners of such Trees (the Bodies whereof have been or shall be from Time to Time converted and employed to or for any manner of Timber or Cleft Ware within the Weilds of *Suffex*, *Surrey* or *Kent*, or any of them, the same not being within Eighteen Miles of the City of *London*, or Eight Miles of the River of *Thames*, or Four Miles of the Towns of *Rye* and *Winchelsey*, or within Three Miles of *Hastings*, or within Four Miles of the Foot of the Hills called the *Downs* between *Arundel* and *Pemsey* in the County of *Suffex* aforesaid, or any of them) to employ the Tops and Offals of all such Trees to or for Coals or other Fuel serving to or for Iron Works, at their own Will and Pleasures; this Statute or any other to the contrary hereof in any wise notwithstanding. And forasmuch as the Highways in the said Counties of *Suffex*, *Surrey* and *Kent* are in many Places greatly impaired and spoiled by Means of Carriages of Coals, Mines and Iron to and from the Iron Works in the said Counties, to the great Hindrance of the common Passages of the Queen's Majesty's Subjects travelling through the same: For Remedy whereof, be it further enacted by the Authority aforesaid, That the Occupiers of all manner of Iron Works whatsoever, as Owners or Farmers of the same, by or for any Estate

Remedy for Repair of Highways in Suffex, Surrey and Kent.

Estate or Estates of Inheritance, for Life, Lives or for Term of Year or Years, which shall at any Time hereafter carry or cause to be carried any Coals, Mine or Iron, to or for any their Iron Works, between the Twelfth Day of *October* and the First Day of *May* yearly, shall likewise yearly carry and lay, or cause to be carried and laid, for every Six Loads of Coals or Mine, as well as also for every Ton of Iron which shall be carried by any manner of Wain or Cart, between the said Twelfth Day of *October* and the First Day of *May* yearly, by the Space of One Mile thorow any Highways, being under any the Hills commonly called the *North Downs* of *Surrey* and *Kent*, to or from any manner of Iron Work, one usual Cart Load of Cinder, Gravel, Stone, Sand or Chalk, meet for the repairing and amending of the said Highways, to be laid and employed in such Place and Places of the said Highways, as by any Justice of Peace of any of the Counties aforesaid, dwelling near unto the Places where the Highways within the Limits aforesaid shall be most annoyed by any the Means aforesaid, according to the greater and more present Necessity, shall be appointed or assigned; or else pay or cause to be paid, for and in Allowance of every Cart Load, in Manner and Form aforesaid to have been so carried and laid, Two Shillings and Six pence within Eight Days after the Demand thereof, to the Hands of the said Justice of Peace or his Assignee, the same to be levied after Default of Payment upon the Demand thereof, from Time to Time, upon such Iron as shall be by and thorow the same Highways so carried, by way of Distress. And if such Justice of Peace, by reason of Absence or other Occasion, do not or shall not, within Forty Days next after the said First Day of *May* yearly, assign or appoint where and in what Place of the Highways the said Cinder, Gravel, Stone, Sand or Chalk, to be carried as aforesaid, shall be laid, or where and how the Money thereof due or so paid, shall be employed and bestowed; that then the same Cinder, Gravel, Stone, Sand or Chalk shall be laid and employed by such Person or Persons as by this Act are to carry and lay the same, or to cause the same to be carried and laid in such Place and Places of the Highways, as the Surveyors of the Highways within the Parish for the Time being where the Highways shall be most annoyed, as is aforesaid, shall assign or appoint; or in Default thereof pay to the said Surveyors for every such Load due and uncarried, Two Shillings Six pence, in Manner and Form aforesaid; upon Pain of Forfeiture of Ten Shillings for every Load of Cinder, Gravel, Stone, Sand or Chalk not carried, laid and employed in the Highways, or Two Shillings and Six pence unpaid, as is aforesaid, to be forfeited and paid by the Person and Persons which by this Act ought to carry and lay, or cause to be carried and laid, the Cinder, Gravel, Stone, Sand or Chalk, or therefore to have paid, as is aforesaid, after due Presentment and Conviction thereof had before the Justices of *Oyer* and *Terminer*, or Justices of Peace in any of their open Session or Sessions to be holden before them or any of them: All which Sum and Sums of Money to be forfeited by reason of this Act, for or in Default of Carriage and Laying of the said Cinder, Gravel, Stone, Sand or Chalk, or Payment thereof due as aforesaid, shall be likewise bestowed and employed upon the Amendment and repairing of the Highways in the said Parishes where the Cause of Forfeiture

Two Shillings
and Six pence in
lieu of Cart-load
of Gravel, &c.
uncarried.

In what Case
Surveyors shall
appoint where
Gravel shall be
laid.

Penalty.

How Forfeitures
shall be em-
ployed.

by Default or Refusal grew, and was given, at and by the Discretion of any such Justice of Peace as shall dwell and be resident next unto the Place or Places being most annoyed by the Carriages aforesaid, and where the Money therefore due should have been paid, as aforesaid; and the same to be levied by way of Distress by any Constable, Pithingman, Headborough or other Officer thereto to be assigned by Warrant made in open Sessions by any Clerk of the Peace of the County where any the Offence or Offences aforesaid shall be committed, or by any Two Justices of the Peace, whereof One to be of the *Quorum*, which were present at the Sessions wherein the said Conviction of or for any the Offences aforesaid shall be had; and if no sufficient Distress can be found by the said Officer appointed to levy the same, or if the said Offender shall obstinately refuse to pay the same Forfeiture, or do not pay the same within Twenty Days after a lawful Demand of the same by the said Officer to be appointed for the levying thereof as aforesaid; that then every Person so denying or refusing, and not paying the same Forfeiture within Twenty Days as aforesaid, to forfeit the Double Sum he should before have paid, to be levied by such Ways and Means as to Two of the Justices of Peace of the same County where the said Offence shall be committed, whereof One to be of the *Quorum*, shall be thought most meet; the same Forfeiture to be likewise employed upon the Amendment of the Highways, as the other Forfeiture should have been, if the same had been levied according to the true Intent and Meaning of this Statute.

[*Repealed, 39 Eliz. c. 19. as to Highways in Surrey and Kent; but the last mentioned Act repealed, 7 G. 3. c. 42. § 57. See 13 G. 3. c. 78. § 84.*]

[*The Acts following, are not on the Roll.*]

C. A. P. XX.

An Act for the Preservation of the Haven at Plymouth.

C. A. P. XXI.

An Act for the Preservation of Oxford Haven.

C. A. P. XXII.

An Act for the bringing of the Haven of the City of Winchester, by a new cut Channel, to the Suburbs of the same City.

C. A. P. XXIII.

An Act for Cloth-making in the Towns of Boxford and Langham in the County of Essex.

C. A. P. XXIV.

An Act for the keeping of the Sea Banks and Sea Works in the County of Norfolk.

22 P. & M.
c. 8.

WHEREAS in the Parliament holden at Westminster in the Second and Third Years of the Reign of the late King Philip and Queen Mary, one Act was made and ordained for the amending

amending and maintaining of Highways, which said Act having no longer Continuance but for Seven Years after the End of the same Parliament, was afterwards by one other Act of Parliament made in the Fifth Year of the Queen's Majesty's Reign that now is, revived to have further Continuance for a certain Time yet enduring; in which said Act, made in the Fifth Year, and one other Act made in the Eighteenth Year of her Majesty's Reign (a), there were contained divers further Additions and Ordinances, tending to the Amendment and Maintenance of the said Highways: And whereas the Sea Banks and Sea Works in sundry Parts of the Sea Coasts within the County of Norfolk (not being within the particular Charge of any Person or Persons, or of any Township, or to be maintained by any other common Charge) are, by the working of the Sea, ruined and decayed, to the great Hurt and Prejudice of many Townships within Three Miles of the said Banks and Sea Works, and likely daily more and more to grow in Ruin and Decay, if convenient Remedy be not provided in that Behalf: And whereas the Highways within Three Miles of the said Sea Banks and Sea Works, be so gravelly and sandy, as neither need nor require for the Amendment of the same so many of the said Day Works as be limited and appointed by the said Statutes, the Surplusage of which said Day Works, if it might be yearly employed towards the repairing, amending and maintainance of such of the said Sea Banks and Sea Works as are not or ought not to be made and maintained at the particular Charge of any Person or Persons, or at the Charge of any Township, or by Acre-shot or other common Charge, would be a singular Benefit and Help to the aforesaid Townships within Three Miles of the said Sea Banks and Sea Works so yearly to be made and maintained:'

(a) [The above Acts of R. & M. & Eliz. repealed, 7 G. 3. c. 24. § 57.]

II. For Remedy whereof, Be it enacted and ordained by Authority of this present Parliament, That from and after the Feast of Pentecost now next ensuing, the Justices of Peace within the said County of Norfolk shall and may yearly, at any General Sessions to be holden within the said County, for and towards the making and amending of the said Sea Banks or Sea Works (now being or that hereafter shall be in Ruin or Decay) limit and appoint so many of the aforesaid Day Works, as by their Discretion shall be thought superfluous, and not needful, to be employed towards the Amendment of the aforesaid Highways within Three Miles of the said Sea Banks or Sea Works, which shall needfully require any such Reparation or Amendment.

III. And be it further enacted, That every Person and Persons dwelling within Three Miles of the said Sea Banks and Sea Works needfully to be amended as is aforesaid, shall yearly upon reasonable Warning given, during so many Days as shall be limited and appointed in the said Sessions, in respect of his and their Labour and Carriages, stand and be in that Degree charged and chargeable towards the making, repairing and amending of the said Sea Banks or Sea Works, as by the aforesaid Statutes they stand charged and chargeable for the Amendment of any Highways; and that they and every of them, for the not doing and performing the same, shall incur the like Pain, Penalty and Forfeiture as is

Justices of Peace in Norfolk to take Order for Repair of Sea-banks.

How Persons chargeable for Repair of Sea Banks.

Constables of
Hundreds Sur-
veyors of Sea
Works.

Penalty.

What Persons
discharged of
Repair of High-
ways.

Continuance.

contained in the foresaid Statutes made for the Amendment of Highways, and every of them: And that the said Justices likewise in their aforesaid General Sessions shall and may nominate and appoint the High Constables of every Hundred, that shall be charged or chargeable by force of this Act towards the making or amending of the said Sea Banks or Sea Works, to be Surveyors of the said Sea Works and Sea Banks; and that they and every of them shall take upon them the Execution of the said Charge and Office, and duly perform the same, upon such like Pain and Forfeitures as by the said Statutes or any of them, to be imposed upon any Surveyor or Surveyors for not taking upon him or them the Office of Surveyor for the amending of Highways: And that every Person and Persons which shall be yearly charged to the making and Maintenance of the said Banks or Sea Works, shall be discharged of so many Days towards the making of the said Highways, as shall be employed and bestowed towards the making and amending of the said Sea Works and Sea Banks; all the said Penalties and Forfeitures to be levied in Manner and Form as in the said Statutes are limited and appointed. This Act to endure and continue for the Space of Five Years, and from thenceforth unto the End of the Parliament next ensuing the said Five Years.

[Continued, 3 Car. 1. c. 4. § 18. 22. 16 Car. 1. c. 4.]

C A P. XXV.

18 Eliz. c. 17.

An Act for the Explanation of the Statute for the Maintenance of *Rocheſter* Bridge.

C A P. XXVI.

An Act for explaining of the Statute for the amending of the Highways between *Middleton* and the *King's Ferry* leading into the Isle of *Sheppey*, in the County of *Kent*.

[Repealed, 7 G. 3. c. 42. § 57. See 13 G. 3. c. 78. § 84.]

C A P. XXVII.

An Act for the Inning of *Earth* and *Plumſtead Maſſe*.

C A P. XXVIII.

An Act of one Subſidy granted by the Clergy. EXP.

C A P. XXIX.

An Act of one Subſidy, and Two Fifteens and Tenths granted by the Temporality. EXP.

C A P. XXX.

An Act for the Queen's Maſteſty's moſt gracious, general and free Pardon.

[Note, There is a Duplicate of the Roll 27 Eliz.]

Anno vicefimo nono Reginae ELIZABETHÆ.
(A.D. 1587.)

STATUTES made in the Parliament holden at Westminster the Twenty ninth Day of October in the Eight and twentieth Year of the Reign of our Sovereign Lady ELIZABETH, by the Grace of God, of England, France and Ireland, Queen Defender of the Faith, &c. and there continued until and on the Twenty third Day of March next following, and then dissolved; viz.

“ **STATUTES** made in the Parliament held upon Prorogation the Fifteenth Day of February in the Nine and twentieth Year of the Reign of our Sovereign Lady ELIZABETH, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. viz.

[*Note.—The Roll is in Duplicate; the one, containing the above first Entry, is indorsed 28 Eliz., and the other, containing the above second Entry, is indorsed 29 Eliz. The Index is headed thus: none (in a different Hand.)*

Vicefimo ~~vicesimo~~ stet. and there is only one Entry of cc. 1—6. in the Index. See Note to Cap. 4.]

C A P. I.

An Act for the Confirmation of the Attainders of *Thomas*, late Lord *Paget*, and others.

C A P. II.

An Act concerning Errors in Records of Attainders of High Treason.

‘ **FORASMUCH** as through Corruption or negligent Keeping, the Records of Attainders of Treason happen many Times to be impaired, blemished or otherwise to be defective, Be it ordained and enacted by the Authority of this present Parliament, That no Record of Attainder that now is of any Person or Persons of or for any High Treason, where the Party so attainted is or hath been executed for the same Reason, shall, by the Heir or Heirs of any such Person, or by any other whatsoever claiming in, from, by or under any such Heir or Heirs, be in any wise hereafter reversed, undone, avoided or impeached by any Plea, or for any Error whatsoever.

Record of Attainder where not to be reversed.

II. Provided always nevertheless, That this Act, nor any Thing therein contained, shall in any wise extend to any Record of Attainder of or for any Treason, upon which any Writ of Error is now depending, or which Record is already reversed, repealed or undone, by or for any Error, Matter, Plea or Cause whatsoever; but that the same shall be and remain as unto and against

Proviso for Record reversed or Writ of Error depending.

that Party at whose Suit the same Writ of Error is depending, or at whose Pursuit the same Record hath been reversed, repealed or undone, and his and her Heirs and Assigns only, as if this Act had never been had or made; any Thing in this Act to the contrary thereof notwithstanding.

C A P. III.

An Act to avoid fraudulent Assurances made in certain Causes by Traitors.

C A P. IV.

An Act to prevent Extortion in Sheriffs, Under Sheriffs and Bailiffs of Franchises or Liberties, in Cases of Execution.

How much
Sheriff may take
for serving
Execution.

BE it enacted by the Authority of this present Parliament, That it shall not be lawful, from the First Day of *May* now next ensuing, to or for any Sheriff, Under Sheriff, Bailiff of Franchises or Liberties, nor for any of their or either of their Officers, Ministers, Servants, Bailiffs or Deputies; nor for any of them, by Reason or Colour of their or either of their Office or Offices, to have, receive or take of any Person or Persons whatsoever, directly or indirectly, for the serving and executing of any Extent or Execution upon the Body, Lands, Goods or Chattels of any Person or Persons whatsoever, more or other Consideration or Recompence than in this present Act is and shall be limited and appointed, which shall be lawful to be had, received and taken, that is to say, Twelve pence of and for every Twenty Shillings, where the Sum exceedeth not One hundred Pounds, and Six pence of and for every Twenty Shillings, being over and above the said Sum of One hundred Pounds, that he or they shall so levy or extend, and deliver in Execution, or take the Body in Execution for, by virtue and force of any such Extent or Execution whatsoever, upon Pain and Penalty that all and every Sheriff, Under Sheriff, Bailiff of Franchises and Liberties, their and every of their Ministers, Servants, Officers, Bailiffs or Deputies, which at any Time after the said First Day of *May* now next ensuing shall directly or indirectly do the contrary, shall lose and forfeit to the Party grieved his Treble Damages, and shall forfeit the Sum of Forty Pounds of good and lawful *English* Money for every Time that he, they or any of them shall do the contrary; the One Moiety thereof to be to our Sovereign Lady the Queen, her Heirs and Successors, and the other Moiety thereof to the Party or Parties that will sue for the same, by any Plaint, Action, Suit, Bill or Information, wherein no Effoin, Wager of Law or Protection shall be allowed.

Penalty.

Fees.

II. Provided always, That this Act, or any Thing therein contained, shall not extend to any Fees to be taken or had for any Execution within any City or Town Corporate; any Thing above mentioned to the contrary thereof notwithstanding.

[See 7 G. 3. c. 29. And Note, A Case being reserved on the above Act for the Opinion of the Court of C. P. (*Savage qui tam v. Smith*, 2 Bl. Rep. 2101.), the Objection was, that the Statute of Elizabeth, as published by the King's Printer, appears to have been

in the Twenty ninth and not the Twenty eighth Year of Elizabeth; whereas the Case stated it to have passed in the Twenty eighth Year of her Reign: But the Court would not suffer that Objection to be argued, the FaB being (as appears from the Journals of the Lords) that the Parliament met and sat on the 29th of October, 28th of Elizabeth, was adjourned *de die in diem* to the 29th of November, 29th of Elizabeth, when by the Queen's Commissioners it was adjourned (not prorogued) (a) to the 15th of February following, and on the 13th of March the above AB, among others, was passed, and the Parliament was prorogued (b). The Court said, that the Objection had been before overruled, and the Point settled; and referred to 1 And. 294. pl. 303. Stat. 35 Eliz. c. 5. (Raffel.) 4 Inst. 7. Sheriff of Middlesex v. Swift, Sir T. Raym. 1. Spring v. Eve, 2 Mod. 240. Lord Petre v. University of Cambridge, 3 Lev. 332. Pope v. Hayman, Skinn. 363. Brockwell v. Lock, Salk. 331. Et vide Earl v. Plummer, 12 Mod. 124.]

(a) [See second Entry on the Roll as in p. 439.]

(b) [See first Entry on the Roll as in p. 439.]

C A P. V.

An Act for the Continuance and Perfecting of divers Statutes.

“ 5 Eliz. c. 9. 13 Eliz. c. 5. 5 Eliz. c. 13. reviving 2 & 3 P. & M. c. 8. and also 2 & 3 P. & M. c. 8. made perpetual. § 1, 2.
 “ ——— 21 H. 8. c. 12. 24 H. 8. c. 9. 3 & 4 E. 6. c. 19. 3 & 4 E. 6. c. 21. 1 Eliz. c. 17. 5 Eliz. c. 2. 5 Eliz. c. 7. 8 Eliz. c. 10.
 “ 13 Eliz. cc. 20, 21. 13 Eliz. c. 8. 14 Eliz. c. 11. 14 Eliz. c. 5.
 “ 18 Eliz. c. 3. 27 Eliz. c. 11. 27 Eliz. c. 7. 27 Eliz. c. 17. Pr.
 “ The last mentioned Seventeen Statutes continued until the End of the next Parliament. § 3—19. EXP.

“ XX. And where also in the First Session of Parliament, holden at Westminster the Twelfth Day of January in the said Fifth Year of her Majesty's Reign, one Act was then and there made, intituled, *An Act touching certain politick Constitutions made for the Maintenance of the Navy;* Be it further enacted by the Authority of this present Parliament, That so much only of the said last mentioned Act, as at this present standeth in force, and not heretofore at any Time repealed, shall continue and endure in full Force and Effect, unto the End of the next Parliament next ensuing.

5 Eliz. c. 5.

“ XXI. Provided always, That whereas divers her Majesty's loving Subjects dwelling in the remote Parts of this Realm, are many Times maliciously troubled upon Informations and Suits exhibited in the Courts of the King's Bench, Common Pleas and Exchequer, upon Penal Statutes, and are drawn up upon Process out of the Countries where they dwell, and driven to attend and put in Bail, to their great Trouble and Undoings: For Reformation whereof, Be it enacted, That if any Person or Persons shall be sued or informed against, upon any penal Law in any the several Courts of the King's Bench, Common Pleas or Exchequer, where such Person or Persons are bailable by Law, or where by the Leave or Favour of the Court such Person or Persons may appear by Attorney, that in all and every such Case, the

Defendant in Suits upon Penal Statutes may appear by Attorney.

the Person or Persons so to be impleaded or sued, shall and may at the Day and Time contained in the first Process served for his Appearance, appear by Attorney of the same Court where the Process is returnable, to answer and defend the same, and not be urged to personal Appearance, or to put in Bail for the answering of such Suit; any former Law, Custom or Usage to the contrary notwithstanding. [To what Persons only this Section extends, 31 Eliz. c. 10. § 20.]

C A P. VI.

An Act for the more speedy and due Execution of certain Branches of the Statute made in the Twenty third Year of the Queen's Majesty's Reign, intituled, *An Act to retain the Queen's Majesty's Subject in their due Obedience.*

FOR avoiding of all Frauds and Delays heretofore practised, or hereafter to be put in Ure, to the Hindrance of the due and speedy Execution of the Statute made in the Session of Parliament holden by Prorogation at *Westminster* the Sixteenth Day of *January* in the Three and twentieth Year of the Reign of our most gracious Sovereign Lady the Queen's Majesty, intituled, *An Act to retain the Queen's Majesty's Subjects in their due Obedience.* Be it enacted by the Authority of this present Parliament, That every Feoffment, Gift, Grant, Conveyance, Alienation, Estate, Lease, Incumbrance and Limitation of Use, of or out of any Lands, Tenements or Hereditaments whatsoever, had or made at any Time since the Beginning of the Queen's Majesty's Reign, or at any Time hereafter to be had or made, by any Person which hath not repaired or shall not repair to some Church, Chapel or usual Place of Common Prayer, but hath forborn or shall forbear the same, contrary to the Tenor of the said Statute, and which is or shall be revokable at the Pleasure of such Offender, or in any wise directly or indirectly meant or intended, to or for the Behoof, Relief or Maintenance, or at the Disposition of any such Offender, or wherewith or whereby, or in Consideration whereof, such Offender or his Family shall be maintained, relieved or kept; shall be deemed and taken to be utterly frustrate and void, as against the Queen's Majesty, for or concerning the levying and paying of such Sums of Money as any such Person by the Laws or Statutes of the Realm already made, ought to pay or forfeit for not coming or repairing to any Church, Chapel or usual Place of Common Prayer, or for saying, hearing or being at any Mass; and shall also be seized and had to and for her Majesty's Use and Behoof, as hereafter in this Act is mentioned; any Pretence, Colour, feigned Consideration, or expressing of any Use, to the contrary notwithstanding.

II. And further be it enacted by the Authority aforesaid, That every Conviction heretofore recorded for any Offence before mentioned, not already estreated or certified into the Queen's Majesty's Court of Exchequer, shall from the Justices before whom the Record of such Conviction shall be remaining, be estreated and certified into the Queen's Majesty's Court of Exchequer, before the End of *Easter* Term next coming, in such convenient Certainty for the Time and other Circumstances, as the Court of Exchequer may thereupon award out Process for Seizure of the Lands and Goods

33 Eliz. c. 2.

Certain Assurances of Lands made by Recusants, void.

Conviction of Recusancy certified into Exchequer.

Goods of every such Offender as hath not paid their said Forfeitures, according to the Laws and Statutes in such Case provided; and that every Conviction hereafter for any Offence before mentioned shall be in the Court commonly called the King's Bench, or at the Assizes, or general Gaol-delivery, and not elsewhere, and shall, from the Justices before whom the Record of such Conviction shall remain, be estreated and certified into the said Court of Exchequer before the End of the Term next ensuing after every such Conviction, in such convenient Certainty as is aforesaid mentioned.

In what Courts
Convictions of
Recusancy.

III. And be it also enacted by the Authority aforesaid, That every such Offender in not repairing to Divine Service, but forbearing the same contrary to the said Estatute, as hath been heretofore convicted for such Offence, and hath not made Submission, and been conformable according to the true Meaning of the said Statute, shall without any other Indictment or Conviction, pay into the Receipt of the said Exchequer, all such Sums of Money as, according to the Rate of Twenty Pounds for every Month since the same Conviction, do yet remain unpaid, in Form as hereafter ensueth; that is to say, the one Moiety thereof before the End of the next *Trinity* Term, and the other Moiety thereof before the End of the next *Hilary* Term, or at any such other Times as by the Lord Treasurer, Chancellor and Chief Baron of the Exchequer, or any Two of them, shall by Composition, upon good Bond and Surety taken, be limited before the End of the said next *Trinity* Term, if any such Composition shall happen to be; and shall also in every *Easter* and *Michaelmas* Term, until such Time as the same Person do make Submission, and be conformable according to the true Meaning of the said Statute, pay into the said Receipt of the Exchequer Twenty Pounds for every Month which shall incur in all that mean Time. [The King may seize Two Parts of the Offender's Lands, &c. in lieu of the Twenty Pounds, 3 Jac. 1. c. 4. § 11.]

At what Time
Penalty for not
going to Church,
paid.

IV. And be it also enacted by the Authority aforesaid, That every such Offender, in not repairing to Divine Service, but forbearing the same, contrary to the said Estatute, as hereafter shall fortune to be thereof once convicted, shall, in such of the Terms of *Easter* or *Michaelmas* as shall be next after such Conviction, pay into the said Receipt of the Exchequer after the Rate of Twenty Pounds for every Month, which shall be contained in the Indictment whereupon such Conviction shall be; and shall also for every Month after such Conviction, without any other Indictment or Conviction, pay into the Receipt of the Exchequer aforesaid at Two Times in the Year, that is to say, in every *Easter* Term and *Michaelmas* Term, as much as then shall remain unpaid, after the Rate of Twenty Pounds for every Month after such Conviction: And if Default shall be made in any Part of any Payment aforesaid, contrary to the Form hereinbefore limited, that then and so often the Queen's Majesty shall and may, by Process out of the said Exchequer, take, seize and enjoy all the Goods, and Two Parts as well of all the Lands, Tenements and Hereditaments, Leases and Farms of such Offender, as of all other the Lands, Tenements and Hereditaments liable to such Seizure, or to the Penalties aforesaid, by the true Meaning of this Act; leaving the Third Part only of the same Lands, Tenements and Hereditaments,

In what Case the
Queen may take
all Offender's
Goods, and Two
Parts of his Lands
and Leases.

Leases

Leases and Farms, to and for the Maintenance and Relief of the same Offender, his Wife, Children and Family. [See 1 Jac. 1. c. 4. § 5.]

Indictment need not mention that Party is within the Realm.

V. And for the more speedy Conviction of such Offender, is not repairing to Divine Service, but forbearing the same contrary to the said Estatute, Be it enacted by the Authority aforesaid, That the Indictment of every such Offender, mentioning the not coming of such Offender to the Church of the Parish where such Person at any Time before such Indictment was or did keep House or Residence, nor to any other Church, Chapel or usual Place of Common Prayer, shall be sufficient in the Law; and that it shall not be needful to mention in any such Indictment, that the Party Offender was or is inhabiting within this Realm of England, or any other the Queen's Majesty's Dominions: But if it shall happen any such Offender then not to be within this Realm, or other her Majesty's Dominions, that in such Case the Party shall be relieved by Plea to be put in in that behalf, and not otherwise; and that upon the Indictment of such Offender, a Proclamation shall be made at the same Assizes or Gaol-delivery in which the Indictment shall be taken (if the same be taken at any Assizes or Gaol-delivery), by which it shall be commanded, that the Body of such Offender shall be rendered to the Sheriff of the same County, before the said next Assizes or general Gaol-delivery to be holden in the same County: And if at the said next Assizes or Gaol-delivery the same Offender so proclaimed shall not make Appearance of Record, that then upon such Default recorded, the same shall be as sufficient a Conviction in Law of the said Offence whereof the Party so standeth indicted, as is aforesaid, as if upon the same Indictment a Trial by Verdict thereupon had proceeded and been recorded.

Proclamation.

Offender submitting, or dying, no Forfeiture.

VI. Provided always, That whensoever any such Offender, as is aforesaid, shall make Submission, and become conformable, according to the Form limited by the same Estatute made in the Three and twentieth Year of the Queen's Majesty's Reign, or shall fortune to die; that then no Forfeiture of Twenty Pounds for any Month, or Seizure of the Lands of the same Offender, from and after such Submission and Conformity or Death, and full Satisfaction of all the Arrearages of Twenty Pounds monthly, before such Seizure due or payable, shall ensue or be continued against such Offender, so long as the same Person shall continue in coming to Divine Service, according to the Intent of the said Estatute.

23 Eliz. c. 1. § 11. Third Part of Forfeiture assigned to the Poor.

VII. And where by the said former Statute, the Third Part of the Forfeitures for not coming to Divine Service is limited to the Poor: Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord Treasurer of England, Chancellor and Chief Baron of the Exchequer for the Time being, or Two of them, to assign and dispose of the full Third Part of the Twenty Pounds for every Month paid or to be paid into the Receipt of the Exchequer, as is aforesaid, for the Relief and Maintenance as well of the Poor, and of the Houses of Correction, as of impotent and maimed Soldiers, as the same Lord Treasurer, Chancellor and Chief Baron, or any Two of them, shall order or appoint; any Thing in the said Estatute made in the said

Three

Three and twentieth Year of her Majesty's Reign mentioned to the contrary thereof in any wise notwithstanding.

VIII. Provided always, That this Act, or any Thing therein contained, shall not in any wise extend or be construed to make void or impeach any Grant or Lease heretofore made *bona fide*, without Fraud or Covin, whereupon any yearly Rent or Payment is reserved or payable; or any Grant or Lease hereafter to be made *bona fide*, without Fraud or Covin, whereupon the accustomed yearly Rent or more shall be reserved; or any other Conveyance, Assurance or Assignment whatsoever heretofore made *bona fide*, upon good Consideration, and without Fraud or Covin, which is not or shall not be revokable at the Pleasure of such Offender; otherwise than to give Benefit and Title to her Majesty, her Heirs and Successors, to have, perceive and enjoy such Rents and Payments during the Continuance of such Lease and Grant, according to the true Meaning of this Act.

Assurances made
bona fide, not
impeached.

IX. And provided also, That this Act, or any Thing therein contained, shall not in any wise extend or be construed to continue any Seizure of any Lands or Tenements of such Offender in her Majesty's Hands, or in the Hands of her Heirs or Successors, after the said Offender's Death, which Lands or Tenements he shall have or be seized of only for Term of his Life, or in the Right of his Wife; any Thing in this Act to the contrary in any wise notwithstanding.

Proviso for
Rents for Life

C A P. VII.

An Act of one Subsidy by the Clergy. EXP.

C A P. VIII.

An Act for the Grant of one intire Subsidy, and Two Fifteens and Tenths, granted by the Temporality. EXP.

C A P. IX.

An Act for the Queen's Majesty's most gracious, general and free Pardon.

[Note, These last Three Acts not on the Roll.]

Anno tricesimo primo Reginæ ELIZABETHÆ.
(A.D. 1589.)

STATUTES made in the Parliament begun and holden at Westminster the Fourth Day of February in the One and thirtieth Year of the Reign of our most gracious Sovereign Lady ELIZABETH; by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. viz.

C A P. I.

An Act against Discontinuances of Writs of Error in the Courts of Exchequer and King's Bench.

31 E. 3. Stat. 1.
c. 22.

WHEREAS by an Estatute made in the xxxi. Year of the Reign of King Edward the Third, it is enacted, that upon Complaint concerning Error made in the Exchequer touching the King or other Persons, the Lord Chancellor and Lord Treasurer shall do to come before them in any Chamber of Council nigh the Exchequer, the Record and Process of the Exchequer, and taking to them such Justices and other sage Persons as to them shall be thought meet, shall hear and determine such Errors, as by the said Estatute more at large appeareth: And whereas those Two being great Officers of the Realm are employed, not only in their several Offices and Places of Justice elsewhere, but also for other weighty Affairs of the Realm in Council, attendant on the Queen's Majesty's Person and otherwise, they be many Times upon sudden Warning called away, in such wise as they both many Times, and sometimes neither of them, can be present in the Exchequer at their Day of Adjournment in such Suit of Error; and then by not coming of them at the Day of Adjournment every such Writ of Error depending is by the Laws of the Realm discontinued, and the Party cannot proceed, but must begin his Suit of new, to the great Loss of the Party and Hinderance of Justice: For Remedy whereof, Be it ordained and enacted by Authority of this present Parliament, That the not coming of the Lord Chancellor and Lord Treasurer, or of either of them, at the Day of Adjournment in any such Suit of Error depending by virtue of the said former Estatute, shall not be any Discontinuance of any such Writ of Error; but if both the Chief Justices of either Bench, or any one of the said great Officers, the Lord Chancellor or Lord Treasurer, shall come to the Exchequer Chamber, and there be present at the Day of Adjournment in such Suit of Error, it shall be no Discontinuance, but the Suit shall proceed in Law to all Intents and Purposes, as if both the Lord Chancellor and Lord Treasurer had come and been present at the Day and Place of Adjournment (a): Provided always, that no Judgment shall be given in any such Suit or Writ of Error, unless both the Lord Chancellor and Lord Treasurer shall be present thereat.

The not coming
of Lord Chan-
cellor and Lord
Treasurer no
Discontinuance of
Writs of Error.

No Judgment
unless both
Lords present.

(a) [See 16 Car. 2. c. 2. § 2. and as to Vacancy of a Lord Treasurer, 20 Car. 2. c. 4.]

II. And

' II. And whereas in the Parliament holden in the xxvii. Year
 ' of the Reign of our most gracious Sovereign Lady the Queen's
 ' Majesty, one Act or Statute was made, intituled, *An Act for* 27 Eliz. c. 2.
 ' *Redress of erroneous Judgments in the Court commonly called the*
 ' *King's Bench*, by which it is, amongst other Things, enacted,
 ' That where any Judgment shall at any Time then after be given
 ' in the said Court of King's Bench, in any Suit or Action of
 ' Debt, Detinue, Covenant, Account, Action upon the Case,
 ' *Ejection firme*, or Trespass, first commenced or to be first com-
 ' menced there, other than such only where the Queen's Majesty
 ' shall be Party; the Party Plaintiff or Defendant, against whom
 ' any such Judgment shall be given, may at his Election sue forth
 ' out of the Court of Chancery a special Writ of Error to be
 ' devised in the said Court of Chancery, directed to the Chief Jus-
 ' tice of the said Court of King's Bench for the Time being,
 ' commanding him to cause the said Record, and all Things con-
 ' cerning the said Judgment, to be brought before the Justices of
 ' the Common Bench and the Barons of the Exchequer, into the
 ' Exchequer Chamber, there to be examined by the said Justices
 ' of the Common Bench and Barons aforesaid. Which said Jus-
 ' tices of the Common Bench, and such Barons of the Exchequer
 ' as are of the Degree of the Coif, or Six of them at the least,
 ' by virtue of the same Act, shall thereupon have full Power and
 ' Authority to examine all such Errors as shall be assigned or
 ' found in or upon any such Judgment, and thereupon to reverse
 ' or affirm the said Judgment, as the Law shall require, other
 ' than for Errors to be assigned or found for or concerning the
 ' Jurisdiction of the said Court of King's Bench, or for any want
 ' of Form in any Writ, Return, Plaint, Bill, Declaration or other
 ' Pleading, Process, Verdict or Proceeding whatsoever: Foras-
 ' much as it doth many Times fall out, that the full Number
 ' of the said Justices of the Common Bench and Barons of the
 ' Exchequer, so authorized by the said Statute, sometimes for
 ' want of Health, sometimes through other weighty Services and
 ' earnest Occasions, cannot be present at the Days and Times of
 ' the Returns and Continuances of the same Writs of Error; and
 ' by reason of their Absence and not coming, the said Writs of
 ' Error are discontinued, Justice delayed, and the Parties put to
 ' begin new Suit, to their great Charges and Prejudice; For
 ' Remedy thereof, be it also enacted by the Authority aforesaid,
 ' That from henceforth, if the full Number of the Justices and
 ' Barons authorized by the said Act come not at the Day or Time
 ' of Return or Continuance of any such Writ of Error, that it
 ' shall be lawful for any Three of the said Justices and Barons, at
 ' every of the said Days and Times, to receive Writs of Error, to
 ' award Process thereupon, to make and prefix Days from Time
 ' to Time of and for the Continuance of all such Writs of Error
 ' as shall be there returned, certified or depending. And that the
 ' same shall be to these Respects as good and available as if all the
 ' Justices and Barons authorized by the same Act were present.
 ' And that the Justices and Barons authorized by the said Statute,
 ' may after that proceed in all those Cases, in such Sort to all In-
 ' tents as they may do in other Cases mentioned in the said Statute;
 ' any not coming of any the said Justices or Barons notwithstanding.

Three Justices or
 Barons may re-
 ceive and con-
 tinue Writs of
 Error, &c.

III. Provided

Judgment.

III. Provided nevertheless, That no Judgment shall be given in any such Suit or Error, unless it be by such full Number of the said Justices and Barons, as are in that Behalf authorized and appointed by the said Act.

Plaintiff in Error
may sue in Par-
liament.

IV. Provided also, and be it nevertheless enacted by the Authority aforesaid, That the Party Plaintiff or Defendant, against whom any such Judgment hath been heretofore or hereafter shall be given in the said Court of King's Bench, may at his Election sue in the High Court of Parliament for the Reversal of any such Judgment as heretofore hath been usual or accustomed; any Thing in this Statute, or in the said former Act to the contrary thereof notwithstanding.

C A P. II.

An Act for abridging Proclamations upon Fines to be levied at the Common Law.

4 & 5 H. 7. c. 24.
51.

WHEREAS the Statute made in the Fourth Year of King Henry the Seventh hath ordered, That every Fine to be levied with Proclamations in the King's Court, afore his Justices of the Common Pleas, should be proclaimed in the same Court that Term in which it is engrossed, and in Three Terms then next following, at Four several Days in every Term; by reason whereof they ought to be proclaimed Four Times in every of the Four several Terms: And that during the Time of proclaiming of such Fines, all Pleas should cease; which to do according to the said Statute (considering the Multitudes of Fines now usually levied) would require Sixteen Days in every Term; and by reason of the many Causes and Suits in that Court, is a far greater Trouble than heretofore hath been, so as scarcely one Day in every Term can be spared for the proclaiming of Fines: Be it enacted by the Authority of this present Parliament, That all Fines with Proclamations, from and after the Feast of *Easter* next ensuing, to be levied in the said Court, shall be proclaimed only Four Times; that is to say, once in the Term wherein it is engrossed, and once in every of the Three Terms holden next after the same ingrossing: And that every Fine proclaimed as aforesaid, shall be of as great Force and Effect in Law to all Intents and Purposes, as if the same had been Sixteen Times proclaimed according to the Statutes heretofore made.

Fine levied in
C. P. shall be
proclaimed Four
Times.

C A P. III.

An Act for the avoiding of privy and secret Outlawries of her Majesty's Subjects.

Three Procla-
mations.

FOR the avoiding of secret Outlawries in Actions Personal against the Queen's Subjects having known Places of their Dwellings, by reason that Proclamations are made in the County Courts and in Quarter-Sessions, which are Places remote from their Dwellings, and thereby they have not any convenient Notice of such Suits against them: Be it enacted and ordained by the Authority of this present Parliament, That in every Action Personal wherein any Writ of *Exigent* shall be awarded out of any Court, in or after the Term of *Easter* next coming, one Writ of Proclamation shall be awarded and made out of the same Court, having

having Day of *Tefle* and Return as the said Writ of *Exigent* shall have, directed and delivered of Record to the Sheriff of the County where the Defendant at the Time of the *Exigent* so awarded shall be dwelling; which Writ of Proclamation shall contain the Effect of the same Action: And that the Sheriff of the County unto whom any such Writ of Proclamation shall be directed, shall make Three Proclamations in this Form following, and not otherwise; that is to say, one of the same Proclamations, in the open County Court, and one other of the same Proclamations to be made at the General Quarter-Sessions of the Peace, in those Parts where the Party Defendant at the Time of the *Exigent* awarded shall be dwelling, and one other of the same Proclamations to be made one Month at the least before the *Quint. exa.* by virtue of the said Writ of *Exigent*, at or near to the most usual Door of the Church or Chapel of that Town or Parish where the Defendant shall be dwelling at the Time of the said *Exigent* so awarded; and if the Defendant shall be dwelling out of any Parish, then in such Place as aforesaid of the Parish, in the same County, and next adjoining to the Place of the Defendant's dwelling; and upon a *Sunday*, immediately after Divine Service and Sermon, if any Sermon there be; and if no Sermon there be, then forthwith after Divine Service: And that all Outlawries had and pronounced after the End of the next *Easter* Term, and no Writs of Proclamations awarded and returned according to the Form of this Statute, shall be utterly void and of none Effect; and that the Officer in whose Office such Writs of *Exigent* and Proclamation shall be made, shall and may take such Fees as by the Statute made in the Sixth Year of the Reign of the late King of famous Memory, King *Henry* the Eighth, is limited and appointed in that Behalf, and no greater Fees in any wise; and that the Sheriff for making of the Proclamation at or near to the Church or Chapel Door as is aforesaid, shall have Twelve Pence.

[See 4 & 5 W. & M. c. 22. § 4.]

II. And for the avoiding of secret Summons in real Actions, without convenient Notice of the Tenants of the Freehold, Be it also ordained and enacted by the Authority of this present Parliament, That after every Summons upon the Land in any real Action, Fourteen Days at the least before the Day of the Return thereof, Proclamation of the Summons shall be made on a *Sunday* in Form aforesaid, at or near to the most usual Door of the Churches or Chapel of that Town or Parish, where the Land whereupon the Summons was made doth lie, and that Proclamation so made as aforesaid, shall be returned, together with the Names of the Summoners: And if such Summons shall not be proclaimed and returned according to the Tenor and Meaning of this Act, then no *Grand Cape* to be awarded but *Alias* and *Pluries* Summons, as the Cause shall require, until a Summons and Proclamation shall be duly made and returned according to the Tenor and Meaning of this Act.

III. And be it further enacted, That before any Allowance of any Writ of Error, or reversing of any Outlawry be had by Plea or otherwise, through or by want of any Proclamation to be had or made according to the Form of this Statute, after the End of *Easter* Term next, the Defendant and Defendants in the original Action shall put in Bail, not only to appear and answer to the Plaintiff in the former Suit, in a new Action to be commenced by

Writ of *Exigent*
awarded, &c.

Fee for Writ of
Proclamation.

6 H. 8. c. 4.

Sheriff's Fee.

Proclamation of
Summons in
real Action at
Church-door.

Defendant upon
Writ of Error
bound to answer.

the said Plaintiff for the Cause mentioned in the First Action, but also to satisfy the Condemnation, if the Plaintiff shall begin his Suit, before the End of Two Terms next after the allowing the Writ of Error, or otherwise avoiding of the said Outlawry.

C A P. IV.

An Act against Imbezilling of Armour, Habiliments of War and Victual.

Imbezilling the
Queen's Ordnance,
&c.

BE it enacted by the Authority of this present Parliament, That if any Person or Persons having at any Time hereafter the Charge or Custody of any Armour, Ordnance, Munition, Shot, Powder or Habiliments of War, of the Queen's Majesty's, her Heirs or Successors, or of any Victuals provided for the Victualling of any Soldiers, Gunners, Mariners or Pioneers, shall for any Lucre or Gain, wittingly, advisedly and of Purpose, to hinder or impeach her Majesty's Service, imbezil, purloin or convey away any of the same Armour, Ordnance, Munition, Shot or Powder, Habiliments of War or Victuals, to the Value of Twenty Shillings at one or several Times; that then every such Offence shall be judged Felony, and the Offender or Offenders therein to be tried, proceeded on, and suffer as in case of Felony.

In what Case
Felony.

Limitation of
Impeachment,
&c.

II. Provided always, and be it enacted by the Authority aforesaid, That none shall be impeached for any Offence against this Statute, unless the same Impeachment be prosecuted or begun within the Year next after the Offence done: And that this Act, nor any Thing therein contained, nor any Attainder or Attainders of any Person or Persons for any Offence made Felony by this Act, shall in any wise extend to or be adjudged, interpreted or expounded, to make the Offender or Offenders to forfeit or lose any Lands, Tenements or Hereditaments any longer than only during his or their Life or Lives, or to make any Corruption of Blood to any the Heir or Heirs of any such Offender or Offenders, or to make the Wife of any such Offender to lose or forfeit her Dower, or Title of Dower, of or in any Lands, Tenements or Hereditaments, or her Action or Interest to the same; any Thing in this Act contained, or any Attainder or Attainders hereafter to be had for any Offence made Felony by this Act to the contrary notwithstanding: And that such Person and Persons as shall be impeached for any Offence made Felony by this Statute, shall by virtue of this Act be received and admitted to make any lawful Proof that he can, by lawful Witness or otherwise, for his Discharge and Defence in that Behalf; any Law to the contrary notwithstanding. [Enforced, 22 Car. 2. c. 5. § 2, 3.]

Corruption of
Blood, &c.

Evidence.

C A P. V.

An Act concerning Informers.

What Persons
may not be
Informers.

• **F**OR that divers of the Queen's Majesty's Subjects be daily unjustly vexed and disquieted by divers common Informers upon Penal Statutes, notwithstanding any former Statute that hath been heretofore made against their Disorders; For Remedy whereof, Be it enacted by the Authority of this present Parliament, That all former Statutes made for Reformation of Disorders of such common Informers, not repealed or altered by this Act, shall

shall be put in due Execution : And that no Person, other than the Party grieved, after Twenty Days after the End of this Session of Parliament, shall be received to inform or sue upon any Penal Statute, that before that Time hath been for any Misdemeanor, by any Order of any the Queen's Majesty's Courts ordered not to follow or pursue any Suit upon any Penal Statute.

II. And be it further enacted by the Authority aforesaid, That in any Declaration or Information at any Time after Twenty Days after the End of this Session of Parliament to be had, brought, sued or exhibited, the Offence against any Penal Statute shall not be laid to be done in any other County but where the Contract, or other Matter alledged to be the Offence, was in Truth done : And that every Defendant in such Action or Information shall and lawfully may traverse and alledge, that the Offence supposed by the same Suit to be committed, was not committed in the County where such Offence is alledged ; which being tried for the Defendant, or if the Plaintiff be thereupon nonsuit in his Information or Suit, that then the Plaintiff shall be barred in that Action or Information ; any Law or Use to the contrary notwithstanding.

In Information the County must be expressed, &c.

Nonsuit.

III. Provided always, That this Act, nor any Thing herein contained, shall in any wise extend to any such Officers of Record, as have, in respect of their Offices, heretofore lawfully used to exhibit Informations, or sue upon Penal Laws ; but that they and every of them may inform and pursue in that Behalf, as they might have done before the making of this Act ; any Thing in this Act to the contrary in any wise notwithstanding.

Officers of Record not bound.

IV. And provided also, That this Act, nor any Thing herein contained, shall extend to the laying or alledging of any Offence in any Declaration or Information, for or concerning any Champerty, Buying of Titles or Extortion, or any Offence committed or to be committed against the Statute made in the First Year of the Queen's Majesty's Reign, intituled, *An Act limiting the Times for laying on Land Merchandize from beyond the Seas, and touching Customs of sweet Wines* : And one other Act made in the said First Year of her Majesty's Reign, intituled, *An Act of a Subsidy of Tonnage and Poundage*, or any Thing in any of them contained ; or for the concealing, or defrauding the Queen's Majesty, her Heirs and Successors, of any Custom, Tonnage, Poundage, Subsidy, Impost or Prizage ; or for any Matter of corrupt Usury ; or for any Offence comprised in any Statute made or to be made against engrossing, regrating or forestalling, where the Penalty or Forfeiture shall appear to be to the Value of Twenty Pounds or above ; but that every such Offence shall or may be laid in any County at the Pleasure of any such Informer ; any Thing in this Act to the contrary notwithstanding.

Offences whereof Information may be given in any County.

1 Eliz. c. 11.
1 Eliz. c. 20.

V. And be it further enacted by the Authority aforesaid, That all Actions, Suits, Bills, Indictments or Informations, which, after Twenty Days next after the End of this Session of Parliament, shall be had, brought, sued or exhibited, for any Forfeiture upon any Statute Penal made or to be made, whereby the Forfeitures is or shall be limited to the Queen, her Heirs or Successors only, shall be had, brought, sued or exhibited within Two Years next after the Offence committed or to be committed against such Act Penal, and not after Two Years : And that all Actions, Suits,

Limitation of Suits upon Penal Statutes.

Bills or Informations which, after the said Twenty Days, shall be had, brought, sued or commenced for any Forfeiture upon any Penal Statute made or to be made, except the Statute of Tillage, the Benefit and Suit whereof is or shall be by the said Statute limited to the Queen, her Heirs or Successors, and to any other which shall prosecute in that Behalf, shall be had, brought, sued or commenced by any Person that may lawfully pursue for the same as aforesaid, within one Year next after the Offence committed, or to be committed against the said Statute; and in Default of such Pursuit, that then the same shall be had, sued, exhibited or brought for the Queen's Majesty, her Heirs or Successors, at any Time within Two Years after that Year ended. And if any Action, Suit, Bill, Indictment or Information for any Offence against any Penal Statute made or to be made, except the Statute of Tillage, shall be brought after the Time in that Behalf before limited, That then the same shall be void and of none Effect; any Act or Statute made to the contrary notwithstanding.

Proviso.

VI. Provided always, That where any Action, Information, Indictment or other Suit, is or shall be limited by any Statute Penal, to be had, sued, commenced or brought within shorter Time than is afore rehearsed; That in every such Case the Action, Information, Indictment or other Suit shall be brought within the Time limited by such Estatute.

7 H. 8. c. 3.
repealed.

VII. And be it further enacted by the Authority aforesaid, That one Statute made in the Seventh Year of the Reign of the late King of famous Memory, King *Henry* the Eighth, concerning the Time of bringing Actions or Informations upon Penal Laws, shall from and after Twenty Days after the End of this Session of Parliament be utterly repealed; and that all Suits from and after the said Twenty Days to be pursued upon any Statute for using any unlawful Game, or for not using of any lawful Game, or for not having Bows and Arrows according to the Law, or for using any Art or Mystery in the which the Party hath not been brought up according to the Statute in that Behalf made, shall be sued and prosecuted in the General Quarter-Sessions of the Peace or Assises of the same County where the Offence shall be committed, or otherwise enquired of, heard and determined in the Assises or General Quarter-Sessions of the Peace of the same County where such Offence shall be committed, or in the Leet within which it shall happen, and not in any wise out of the same County where such Offence shall happen or be committed.

5 Eliz. c. 4.

Quarter-Sessions.

C A P. VI.

An Act against Abuses in Election of Scholars and Presentation to Benefices.

‘ **W**HEREAS by the Intent of the Founders of Colleges, Churches Collegiate, Churches Cathedral, Schools, Hospitals, Halls and other like Societies within this Realm, and by the Statutes and good Orders of the same, the Elections, Presentations and Nominations of Fellows, Scholars, Officers and other Persons to have Room or Place in the same, are to be had and made of the fittest and most meet Persons being capable of the same Elections, Presentations and Nominations
‘ freely

'freely without any Reward, Gift or Thing given or taken for the same; and for true Performance whereof some Electors, Presentors and Nominators in the same, have or should take a corporal Oath to make their Elections, Presentations and Nominations accordingly; yet notwithstanding it is seen and found by Experience, that the said Elections, Presentations and Nominations be many Times wrought and brought to pass with Money, Gifts and Rewards, whereby the fittest Persons to be elected, presented or nominated, wanting Money or Friends, are seldom or not at all preferred, contrary to the good Meaning of the said Founders, and the said good Statutes and Ordinances of the said Colleges, Churches, Schools, Halls, Hospitals and Societies, and to the great Prejudice of Learning and the Commonwealth and Estate of the Realm:'

II. For Remedy whereof, be it enacted by the Queen's most Excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons, Bodies Politick or Corporate, which have Election, Presentation or Nomination, or Voice or Assent in the Choice, Election, Presentation or Nomination of any Fellow, Scholar or any other Person, to have Room or Place in any of the said Churches, Colleges, Schools, Hospitals, Halls or Societies, shall, at any Time after Forty Days next after the End of this present Session of Parliament, have, receive or take any Money, Fee, Reward or any other Profit, directly or indirectly, or shall take any Promise, Agreement, Covenant, Bond or other Assurance to receive or have any Money, Fee, Reward or any other Profit, directly or indirectly, either to him or themselves, or to any other of their or any of their Friends, for his or their Voice or Voices, Assent or Assents, or Consents, in electing, chusing, presenting or nominating any Officer, Fellow, Scholar or other Person, to have any Room or Place in any of the said Churches, Colleges, Schools, Halls, Hospitals or Societies; that then and from thenceforth the Place, Room or Office which such Person so offending shall then have in any the said Churches, Colleges, Schools, Halls, Hospitals or Societies, shall be void; and that then, as well the Queen's Majesty, her Heirs and Successors, and every other Person and Persons, their Heirs and Successors, to whom the Presentation, Donation, Gift, Election or Disposition shall of Right belong or appertain of any such of the said Rooms or Places of the said Person offending as aforesaid, shall or may at their Pleasure elect, present, nominate, place or appoint any other Person or Persons in the Room, Office or Place of such Person or Persons so offending, as if the said Person or Persons so offending then were naturally dead.

Taking Reward for Vote in electing a Fellow, &c.

Penalty.

III. And be it further enacted by the Authority aforesaid, That if any Fellow, Officer or Scholar of any the said Churches, Colleges, Schools, Halls, Hospitals or Societies, or other Persons having Room or Place in any of the same, shall at any Time hereafter, directly or indirectly, take or receive, or by any Way, Device or Means, contract or agree to have or receive any Money, Reward or Profit whatsoever, for the leaving or resigning up of the same his Room or Place, for any other to be placed in the same, that then every Person so taking or contracting, or

Giving or taking Money, or resigning a Place in a College, &c.

Penalty.

agreeing to take or have any Thing for the same, shall forfeit and lose Double the Sum of Money or Value of the Thing so received and taken, or agreed to be received and taken; and every Person by whom or for whom any Money, Gift or Reward as aforesaid shall be given or agreed to be paid, shall be incapable of that Place or Room for that Time or Turn; and shall not be, nor had nor taken to be a lawful Fellow, Scholar or Officer of any of the Churches, Colleges, Halls, Hospitals, Schools or Societies, or to have such Room or Place there; but that they to whom it shall appertain, at any Time hereafter, shall and may elect, chuse, present and nominate any other Person fit to be elected, presented and nominated into the said Room or Fellowship, as if the said Person by or for whom any such Money, Gift or Reward shall be given or agreed to be paid, were dead, or had resigned and left the same; and for more sincere Election, Choice, Presentation and Nomination of Fellows, Scholars, Officers and other Persons, to have Room or Place hereafter in any of the said Churches, Colleges, Halls, Schools, Hospitals, and other the like Societies.

Statutes to be read.

IV. Be it further enacted by the Authority aforesaid. That at the Time of every such Election, Presentation and Nomination hereafter to be had, as well this present Act as the Orders and Statutes of the same Places concerning such Election, Presentation or Nomination to be had, shall then and there be publickly read, upon Pain that every Person in whom Default thereof shall be, shall forfeit and lose the Sum of Forty Pounds; all which Forfeitures shall and may be had and recovered in any her Majesty's Courts of Record by any Person or Persons, Bodies Politick and Corporate, that will sue for the same, by Bill, Plaint or Action of Debt, in which no Essoin, Protection or Wager of Law shall be allowed; the One Moiety whereof shall be to him or them that will sue for the same, the other Moiety to the Use of the said Church, College, Hall, Hospital, School or Society where such Offence shall be committed.

Penalty.

Who shall have Forfeitures.

Presenting to Benefice or being presented for Reward.

V. And for the avoiding of Simony and Corruption in Presentations, Collations and Donations of and to Benefices, Dignities, Prebends and other Livings and Promotions Ecclesiastical, and in Admissions, Institutions and Inductions to the same; Be it further enacted by the Authority aforesaid, That if any Person or Persons, Bodies Politick and Corporate, shall or do at any Time after the End of Forty Days next after the End of this Session of Parliament, for any Sum of Money, Reward, Gift, Profit or Benefit, directly or indirectly, or for or by Reason of any Promise, Agreement, Grant, Bond, Covenant or other Assurances, of or for any Sum of Money, Reward, Gift, Profit or Benefit whatsoever, directly or indirectly, present or collate any Person to any Benefice with Cure of Souls, Dignity, Prebend or Living Ecclesiastical, or give or bestow the same for or in respect of any such corrupt Cause or Consideration, that then every such Presentation, Collation, Gift and Bestowing, and every Admission, Institution, Investiture and Induction thereupon, shall be utterly void, frustrate and of none Effect in the Law; and that it shall and may be lawful to and for the Queen's Majesty, her Heirs and Successors, to present, collate unto, or give or bestow every such Benefice, Dignity, Prebend and Living Ecclesiastical for that one Time or

Void

Turn

Turn only; and that all and every Person or Persons, Bodies Politick and Corporate, that from thenceforth shall give or take any such Sum of Money, Reward, Gift or Benefit, directly or indirectly, or that shall take or make any such Promise, Grant, Bond, Covenant or other Assurance, shall forfeit and lose the **Penalty.** Double Value of One Year's Profit of every such Benefice, Dignity, Prebend and Living Ecclesiastical; and the Person so corruptly taking, procuring, seeking or accepting any such Benefice, Dignity, Prebend or Living, shall thereupon and from thenceforth be adjudged a disabled Person in Law, to have or enjoy the same Benefice, Dignity, Prebend or Living Ecclesiastical.

VI. And be it further enacted, That if any Person shall at any Time after Forty Days next after the End of this Session of Parliament, for any Sum of Money, Reward, Gift, Profit or Commodity whatsoever, directly or indirectly (other than for usual and lawful Fees) or for or by reason of any Promise, Agreement, Grant, Covenant, Bond or other Assurance, of or for any Sum of Money, Reward, Gift, Profit or Benefit whatsoever, directly or indirectly, admit, institute, instal, induct, invest or place any Person in or to any Benefice with Cure of Souls, Dignity, Prebend or other Living Ecclesiastical; that then every such Person so offending shall forfeit and lose the Double Value of One Year's Profit of every such Benefice, Dignity, Prebend and Living Ecclesiastical; and that thereupon immediately from and after the Investing, Installation or Induction thereof had, the same Benefice, Dignity, Prebend and Livings Ecclesiastical, shall be estfoons meerly void; and that the Patron or Person to whom the Advowson, Gift, Presentation or Collation shall by Law appertain, shall and may by virtue of this Act present or collate unto, give and dispose of the same Benefice, Dignity, Prebend or Living Ecclesiastical, in such Sort, to all Intents and Purposes, as if the Party so admitted, instituted, installed, invested, inducted or placed, had been or were naturally dead. **Penalty.**

VII. Provided always, That no Title to confer or present by Lapse shall accrue upon any Voidance mentioned in this Act, but after Six Months next after Notice given of such Voidance, by the Ordinary to the Patron. **Lapse.**

VIII. And be it further enacted by the Authority aforesaid, That if any Incumbent of any Benefice with Cure of Souls, after the End of the said Forty Days, do or shall corruptly resign or exchange the same, or corruptly take for or in respect of the Resigning or Exchanging of the same, directly or indirectly, any Pension, Sum of Money or Benefit whatsoever, that then as well the Giver, as the Taker of any such Pension, Sum of Money, or other Benefit corruptly, shall lose Double the Value of the Sum so given, taken or had; the One Moiety as well thereof, as of the Forfeiture of Double Value of One Year's Profit before mentioned, to be to the Queen's Majesty, her Heirs and Successors, and the other Moiety to him or them that will sue for the same, by Action of Debt, Bill or Information, in any of her Majesty's Courts of Record, in which no Essoin, Protection or Wager of Law or Privilege shall be admitted or allowed. **Corrupt resigning, &c. of Benefice. Penalty.**

IX. Provided always, That this Act, or any Thing herein contained, shall not in any wise extend to take away or restrain any Punishment, Pain or Penalty limited, prescribed or instituted **Ecclesiastical Law.**

by the Laws Ecclesiastical, for any the Offences before in this Act mentioned, but that the same shall remain in force, and may be put in due Execution, as it might be before the making of this Act; this Act, or any Thing therein contained to the contrary thereof in any wise notwithstanding.

Giving or taking
of Rewards to
make Ministers,
or to give Li-
cence to preach.

X. Provided further, and be it enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall or do at any Time after the End of this Session of Parliament, receive or take any Mouey, Fee, Reward or any other Profit, directly or indirectly, or shall take any Promise, Agreement, Covenant, Bond or other Assurance, to receive or have any Money, Fee, Reward or any other Profit, directly or indirectly, either to him or themselves or to any other of their or any of their Friends, (all ordinary and lawful Fees only excepted) for or to procure the ordaining or making of any Minister or Ministers, or giving of any Orders or Licence or Licences to preach, that then every Person and Persons so offending shall for every such Offence forfeit and lose the Sum of Forty Pounds of lawful Money of *England*; and the Party so corruptly ordained or made Minister, or taking Orders, shall forfeit and lose the Sum of Ten Pounds; and if at any Time within Seven Years next after such corrupt entring into the Ministry, or receiving of Orders, he shall accept or take any Benefice, Living or Promotion Ecclesiastical, that then immediately from and after the Induction, Investing or Installation thereof or thereunto had, the same Benefice, Living and Promotion Ecclesiastical shall be effoons meerly void; and that the Patron or Person to whom the Advowson, Gift, Presentation or Collation shall by Law appertain, shall and may, by virtue of this Act, present or collate unto, give and dispose of the same Benefice, Living or Promotion Ecclesiastical, in such Sort to all Intents and Purposes as if the Party so inducted, invested or installed, had been or were naturally dead; any Law, Ordinance, Qualification or Dispensation to the contrary notwithstanding; the One Moiety of all which Forfeitures shall be to our Sovereign Lady the Queen, her Heirs and Successors, and the other Moiety to him or them that will sue for the same, by Action of Debt, Bill, Plaint or Information, in any of her Majesty's Courts of Record, in which no Essoin, Protection, Privilege or Wager of Law shall be admitted or allowed.

Penalty.

Penalty.

Living void.

Who shall have
Forfeitures.

C A P. VII.

An Act against erecting and maintaining of Cottages.

FOR the avoiding of the great Inconveniencies which are found by Experience to grow by the Erecting and Building of great Numbers and Multitude of Cottages which are daily more and more encreased in many Parts of this Realm, Be it enacted by the Queen's most Excellent Majesty, and the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That after the End of this Session of Parliament, no Person shall, within this Realm of *England*, make, build or erect or cause to be made, builded or erected, any Manner of Cottage for Habitation or Dwelling, nor convert or ordain any Building or Housing made or hereafter to be made, to be used as a Cottage for Habitation or Dwelling, unless the same Person

In what Case
building new
Cottage.

Person do assign and lay to the same Cottage or Building Four Acres of Ground at the least, to be accounted according to the Statute or Ordinance *de terris mensurandis*, being his or her own Freehold or Inheritance lying near to the said Cottage, to be continually occupied and manured therewith so long as the same Cottage shall be inhabited, upon Pain that every such Offender shall forfeit to our Sovereign Lady the Queen's Majesty, her Heirs and Successors, Ten Pounds of lawful Money of England, for every such Offence.

Penalty.

II. And be it further enacted by the Authority aforesaid, That every Person which after the End of this Session of Parliament shall willingly uphold, maintain and continue any such Cottage hereafter to be erected, converted or ordained for Habitation or Dwelling, whereunto Four Acres of Ground as is aforesaid shall not be assigned and laid to be used and occupied with the same, shall forfeit to our said Sovereign Lady the Queen's Majesty, her Heirs and Successors, Forty Shillings for every Month that any such Cottage shall be by him or them upholden, maintained and continued.

Maintaining Cottage.

Penalty.

III. And be it further enacted by the Authority aforesaid, That all Justices of Assizes and Justices of Peace in their own Sessions, and every Lord within the Precinct of his Leet, and no others, shall have full Power and Authority within their several Limits and Jurisdictions, to enquire of, hear and determine all Offences contrary to this present Act, as well by Indictment as otherwise by Presentment or Information, and to award Execution for the levying of the several Forfeitures aforesaid by *Fieri facias*, *Elegit*, *Capias*, or otherwise as the Cause shall require.

Who may determine Offences.

IV. Provided always, That this Statute, or any Thing therein contained, shall not in any wise be extended to any Cottage which shall be ordained or erected to or for Habitation or Dwelling in any City, Town Corporate, or antient Borough or Market Town within this Realm, nor to any Cottages or Buildings which shall be erected, ordained or converted to and for the necessary and convenient Habitation or Dwelling of any Workmen or Labourers in any Mineral Works, Coal Mines, Quarries or Dells of Stone or Slate, or in or about the making of Brick, Tile, Lime or Coals within this Realm; so as the same Cottages or Buildings be not above One Mile distant from the Place of the same Mineral or other Works, and shall be used only for the Habitation and Dwelling of the said Workmen; nor shall in any Sort prejudice, charge or impeach any Person or Persons for the erecting, maintaining or continuing of any such Cottages, as are before in this proviso mentioned and specified.

Cottage in Cities, &c.

V. Provided always, That this Act shall not extend to any Cottage to be made within a Mile of the Sea, or upon the Side of such Part of any navigable River where the Admiral ought to have Jurisdiction, so long as no other Person shall therein inhabit but a Sailor, or Man of manual Occupation to or for making, furnishing or victualling of any Ship or Vessel used to serve on the Sea; nor to any Cottage to be made in any Forest, Chase, Warren or Park, so long as no other Person shall therein inhabit but an Under Keeper or Warrener, for the good keeping of the Deer, or other Game or Warren; nor to any Cottage heretofore made, so long as no other Person shall therein inhabit but a common Herdman.

Certain Cottages to which this Act shall not extend.

or

or Shepherd, for keeping the Cattle or Sheep of the Town, or a poor, lame, sick, aged or impotent Person; nor to any Cottage to be made, which for any just respect upon Complaint to the Justice of Assize at the Assizes, or the Justices of Peace at the Quarter-Sessions, shall, by their Order entered in open Assizes or Quarter-Sessions, be decreed to continue for Habitation, for and during so long Time only as by such Decree shall be tolerated and limited.

More Families
than one may not
be placed in one
Cottage, &c.

Penalty.

Distress.

VI. Provided also, and be it enacted, That from and after the Feast of *All-Saints* next coming there shall not be any Inmate, or more Families or Households than one, dwelling or inhabiting in any one Cottage, made or to be made or erected, upon Pain that every Owner or Occupier of any such Cottage, placing, or willingly suffering any such Inmate or other Family than one, shall forfeit and lose to the Lord of the Leet within which such Cottage shall be, the Sum of Ten Shillings of lawful Money of *England* for every Month that any such Inmate or other Family than one shall dwell or inhabit in any one Cottage as aforesaid; and that all and every Lord and Lords of Leet and Leets, and their Stewards, within the Precinct of his and their Leet and Leets, shall have full Power and Authority within their several Leets to enquire and to take Presentment by the Oath of Jurors, of all and every Offence and Offences in this Behalf; and upon such Presentment had or made, to levy by Distress to the Use of the Lord of the Leet all such Sums of Money as so shall be forfeited; and moreover, that it shall be lawful for the Lord of every such Leet where such Presentment shall be made, to recover to his own Use any such Forfeiture, by Action of Debt, in any of the Queen's Majesty's Courts of Record, wherein no Effoin, Protection or Wager of Law shall be allowed.

[*Repealed, 15 G. 3. c. 32.*]

C A P. VIII.

An Act for the true Gauging of Vessels brought from beyond the Seas, converted by Brewers for the Utterance and Sale of Ale and Beer.

‘WHERE Beer and Ale are now very commonly uttered, sold and put to Sale by the Beer Brewers and Ale Brewers, as well within the City of *London* as elsewhere within the Realm of *England*, in Butts, Pipes, Puncheons, Hogsheads, Tierces and such other Vessels brought from beyond the Seas, which were never lawfully gauged for that Purpose within this Realm, to the great Loss as well of the Queen's Highness, as of her Subjects; Be it therefore enacted by the Authority of this present Parliament, That no Brewer shall after the End of Forty Days next after the End of this Session of this present Parliament, sell, utter or put to Sale any Beer or Ale in any such Vessel or Vessels, within the City of *London* or Suburbs of the same, or in any other Place or Places within Two Miles Compass without the same Suburbs, before the same shall be lawfully gauged, and the true Content of every such Vessel set down upon the same, by the Gallon appointed and allowed for Beer and Ale, according to that Standard, by the Master and Wardens of the Art or Mystery of Freemen of the Coopers of the City of *London*, or their Deputy or Deputies; nor shall (after the Time before

What Ale and
Beer Vessels
shall be gauged.

before limited) sell, utter or put to Sale any Beer or Ale in any such Vessel or Vessels, in any other Place or Places within the Realm of *England* and *Wales*, before the same shall be lawfully gauged, and the true Content of every such Vessel set down upon the same by the Gallon aforesaid, according to the Standard, by such as by the Statute in that Behalf made in the Three and twentieth Year of the Reign of the late King of famous Memory King *Henry* the Eighth, are to have the gauging of Barrels, Kilderkins and Firkins, made for Beer or Ale to be put in, in such other Place or Places within the Realm of *England* and *Wales*, upon Pain to forfeit all and every such Vessel or Vessels wherein any Beer or Ale shall be uttered, sold or put to Sale, contrary to the true Meaning hercof, and also all the Beer or Ale which shall be at the Time of such uttering, selling or putting to Sale, therein contained, to him or them that will seize the same; and upon Pain also to forfeit for every such Vessel wherein Beer or Ale shall be so uttered, sold, or put to Sale, Ten Shillings, the One Moiety of which Forfeitures shall be to the Queen's Majesty, her Heirs and Successors, and the other Moiety to him or them that will sue for the same by Action of Debt, Bill, Plaint, Information or otherwise, wherein no Effoin, Protection, Wager of Law or Injunction shall be admitted or allowed for the Defendant; and that there shall be taken for the gauging of every such Vessel within the City of *London* and Suburbs of the same, and in all and every Place and Places within Two Miles Compass without the same Suburbs, by the Master and Wardens of the Art or Mystery of Freemen of the Coopers of the City of *London*, for every Butt One Penny, for every Pipe One Penny, for every Puncheon One Halfpenny, for every Hogshead One Halfpenny, for every Tierce One Halfpenny; and for every other Vessel which shall at any Time (after the Time before expressed) be brought into this Realm from any the Parts beyond the Seas, wherein Beer or Ale shall be uttered, sold or put to Sale within the said City or Suburbs, or any other Place or Places within Two Miles Compass without the same Suburbs, after like Rates and no more; and that there shall be taken for the gauging of every such Vessel or Vessels, in all and every other Place and Places within the Realm of *England* and *Wales*, by such Person and Persons as by the said Statute made in the said Three and twentieth Year of the Reign of King *Henry* the Eighth are appointed for gauging thereof, after such like Rates as are hereinbefore appointed to be taken for gauging within the City of *London* and Suburbs of the same, and in other Places within Two Miles Compass without the same Suburbs.

23 H. 8. c. 4.

Penalty.

Penalty.

Fees for gauging.

23 H. 8. c. 4.

II. And it is further enacted by the Authority aforesaid, That this Act shall extend to all and every Person and Persons which shall use or occupy the Mystery of Brewing, as well *English*-born as Strangers; and that it shall be lawful to all and every Person and Persons which shall have Authority by virtue of this Act, to gauge any Vessel or Vessels by this Act meant or intended to be gauged, to retain every Vessel which shall be gauged according to the true Meaning of this Act, until the Money which shall be due for the gauging thereof shall be truly satisfied and paid.

Vessels may be retained until gauging Money paid.

Wardens of
Coopers may
come to Brewer's
Houses to gauge.

Penalty,

Ale and Beer
Vessels filled and
transported.

Penalty.

Continuance.

III. Provided always, and be it further enacted by the Authority aforesaid, That the Master and Wardens of the Coopers aforesaid, or their sufficient Deputy or Deputies within the Space of Eight and Forty Hours next after any reasonable Request to them or any of them made, shall come to any Brewer or Brewer's House, or other Place in the said City of *London*, or Suburbs thereof, or Two Miles Distance of the same, where their Casks shall be, and there with all reasonable Expedition shall gauge and mark the same Casks, and every of them, upon Pain for every Default to forfeit and lose to the Party by or from whom such Requests, as aforesaid, shall be made, the Sum of Twenty Shillings of lawful Money of *England*, to be had and recovered by the said Party against the Corporation of Coopers aforesaid, by Action of Debt in any of her Majesty's Courts of Record at *Westminster*, or elsewhere; in which Action no Effoin, Protection or Wager of Law shall be admitted or allowed.

IV. Provided also, That if any *Scottish* Man, or any Stranger, shall bring from *Scotland*, or from beyond the Seas, to the said Brewers, or any of them, any manner of foreign Casks, and shall require to have Beer put into the same, and will transport the same Beer from hence, either into *Scotland* or over the Seas, there to be drunk; that then in every such Case it shall and may be lawful to and for the said Brewers, or any of them, to fill all such Casks with Beer, at such Rate and Reckoning as he and his Merchant can agree, without having the said Casks, or any of them, gauged or marked as is aforesaid, and without incurring any Penalty therefore; this Act or any Thing therein contained to the contrary thereof in any wise notwithstanding. This Act to continue to the End of the next Session of the next Parliament.

[Continued, 3 Car. 1. c. 4. § 19. 22. 16 Car. 1. c. 4.]

C A P. IX.

An Act for Writs upon Proclamations and *Exigents* to be current within the County Palatine of *Durham*.

6 H. 8. c. 4.

WHERE the Bishoprick of *Durham* is, and of long Time hath been, an ancient County Palatine of itself, in which Bishoprick the Queen's Writ hath not, or yet doth run; so that the Writ of Proclamation awarded upon any *Exigent* against any Person or Persons inhabiting within the same County, in any Action wherein Process of Outlawry doth lie, according to the Statute made in the Sixth Year of the Reign of the late King *Henry* the Eighth, cannot be directed to any Sheriff, or other Officer within the said Bishoprick, but unto the Sheriff of the County next adjoining unto the said Bishoprick, so that the Party dwelling within the said Bishoprick, against whom any such *Exigent* and Proclamation hath been or shall be awarded, hath not had, nor hereafter can have, any Knowledge of the same Suit or Process, by reason whereof many Persons inhabiting within the said Bishoprick, without Knowledge have been outlawed, and hereafter are like to be outlawed in like Manner, to their utter Undoings, if some speedy Remedy be not the sooner provided:

II. Be

II. Be it therefore, and for divers other good Considerations, enacted, ordained and established by the Authority of this present Parliament, That whensoever any Writ of *Exigent*, at any Time after the First Day of *April* next coming, shall be awarded at the Suit of our Sovereign Lady the Queen's Majesty, her Heirs and Successors, Kings or Queens of this Realm, or at the Suit or Suits of any other Person or Persons, Plaintiff or Plaintiffs in any Action or Suit in any of the Courts of our said Sovereign Lady, her Heirs or Successors, Kings and Queens of this Realm, commonly called the King's Bench and the Common Pleas, against any Person or Persons dwelling within the said Bishoprick, that then immediately upon the awarding of every such *Exigent*, the Justice or Justices before whom any such Writ of *Exigent* upon such Suit or Action shall be sued, shall have full Power and Authority by virtue of this Act, to award one Writ of Proclamation according to the Tenor and Effect of Writs of Proclamation awarded upon *Exigents*, and commonly directed out of any of the said Courts into *London*, or into any other Shires of this Realm, against any Person or Persons dwelling in other Shire or Shires of this Realm where the Queen's Writ doth run, according to the Order and Form of the said Act made in the Sixth Year of the Reign of the said late King, to be directed to the Bishop of *Durham* for the Time being, and during the Vacation of the Bishoprick, then to the Chancellor of the said Bishoprick or County Palatine for the Time being, where it shall happen the said Defendant against whom any such Action shall be sued as is aforesaid, to be dwelling, and not to the Sheriff of any other Shire next adjoining to the said Bishoprick or County Palatine; any Law, Custom or Usage heretofore used to the contrary notwithstanding; and that every such Writ of Proclamation so to be hereafter awarded to such Bishop or Chancellor of the said Bishoprick or County Palatine, shall have the same *Style* and Day of Return, as the *Exigents* whereupon every such Writ of Proclamation shall be awarded, shall have; and that every such Bishop or Chancellor to whom any of the said Writ or Writs of Proclamation shall be directed, shall, by his or their Mandate directed to the Sheriff of the said County Palatine, cause Proclamation to be made of the same Writs of Proclamation according to the Tenor of the same, and shall make true Returns of the same in such Court and Courts, and before such Justices, as the Tenor of the same Writ and Writs of Proclamation shall require and demand; and that all Outlawries hereafter to be promulged or pronounced against any Person or Persons upon any such *Exigent* or *Exigents* awarded against any Person or Persons dwelling within the said Bishoprick or County Palatine, and no Writs of Proclamation awarded in Form aforesaid to the Bishop or Chancellor aforesaid, where the Party Defendant shall be as is aforesaid dwelling, or not returned as aforesaid, to be clearly void, and of none Effect nor Force in the Law.

III. And be it further enacted by the Authority aforesaid, That every Bishop of the said Bishoprick for the Time being, and during the Vacation of the said Bishoprick the Chancellor of the said County Palatine for the Time being, shall have in every of the said Courts of the King's Bench and Common Pleas, one sufficient Deputy at the least, to receive all such Writs of Proclama-

Writ of Proclamation upon an *Exigent* in Bishoprick of *Durham*.

6 H. 8. c. 4

Bishop's Mandate to the Sheriff to make Proclamation.

Bishop shall have a Deputy in K. B. and C.P.

tions

Penalties.

Fees.

Bishop or Chancellor not returning Proclamation.

Penalty.

Provide for Bishop of Durham's Liberties.

To whom Writs shall be directed in Outlawry.

tions which shall be hereafter directed to every such Bishop or Chancellor of the said Bishoprick or County Palatine, for whom the same Deputy or Deputies shall be appointed in like Manner and Form, and upon like Pains as by the former Statutes and Laws of this Realm, the Sheriffs of other Shires or Counties within this Realm of *England* be bound to have in either of the same Courts; and that all such Writs of Proclamation as aforesaid, shall be delivered unto every such Deputy or Deputies of Record in the same Courts and either of them, and also like Fees shall be paid for making of every such Writ of Proclamation, and for enrolling the same of Record as is limited in the same Statute made in the Sixth Year of the said King *Henry* the Eighth.

IV. And be it further enacted and established by the Authority aforesaid, That if any such Writ or Writs of Proclamation hereafter to be directed to any Bishop or Chancellor of the said Bishoprick or County Palatine, be delivered unto any of the said Bishops for the Time being, or during the Vacation of the said Bishoprick to the Chancellor of the said County Palatine for the Time being, or to his or their Deputy or Deputies in Manner and Form aforesaid; the same Bishop for the Time being, or during the Vacation of the said Bishoprick, the said Chancellor of the said County Palatine for the Time being, do not make true Return of every such Writ and Writs of Proclamation to them directed, into such Court and Courts out of which the Writ or Writs of Proclamation shall be awarded, that for every such Default of Non-return every such Bishop for the Time being, and during the Vacation of the said See, the said Chancellor for the Time being, so failing to make due Return, shall lose and forfeit Five Pounds, the one Half whereof shall be to the Queen, her Heirs and Successors, and the other Half thereof to any such Person or Persons that will sue for the same, in an Action of Debt to be grounded upon this Act, in any of the Queen's Courts of Record, wherein no Essoin, Protection or Wager of Law shall be allowed or admitted.

V. Provided always, That this Act, or any Thing herein contained, shall not in any wise extend or be prejudicial to any Bishop of the said Bishoprick of *Durham*, for or concerning such Liberties, Franchises or Privileges as belong to the same Bishop's Bishoprick or See, or to any Ministers or Officers of the same Bishoprick or County Palatine, otherwise or in any other Manner than by the true Meaning of this Act is before provided or declared; any Thing in this Act mentioned to the contrary notwithstanding.

VI. Provided also, That if any Person or Persons dwelling within the said Bishoprick or County Palatine, after the aforesaid First Day of *April*, shall be outlawed in any such Suit or Action as is aforesaid, that then all Writs of special *Capias Usagatum*, single *Capias Usagatum*, *Non molestandum*, and all other Process for or against any Person or Persons so outlawed, shall and may from henceforth be directed from Time to Time to the Bishop of the said Bishoprick and County Palatine for the Time being, and during the Vacation of the said See to the Chancellor there for the Time being, who shall make like Writs and Process thereupon, and of like Effect, sealed with the Seal of their said Offices, to be directed

directed to the Sheriff of the said County Palatine for the Time being, as heretofore hath been used and accustomed in such Cafes.

VII. Provided alway, and be it further enacted by the Authority aforesaid, That upon any Writ of Proclamation to be awarded by virtue of this A^ct, and the Mandate thereupon to be made to the Sheriff, and the Execution thereof, there shall be but one only Fee taken, received or demanded for the same by the said Bishop, Chancellor and Sheriff of the said County Palatine for the Time being.

C A P. X.

An A^ct for the Continuance and perfecting of divers Statutes.

“ 21 H. 8. c. 12. 24 H. 8. c. 9. 3 & 4 E. 6. c. 19. 3 & 4 E. 6. c. 21. 1 Eliz. c. 17. 5 Eliz. c. 2. 5 Eliz. c. 7. 8 Eliz. c. 10. 13 Eliz. c. 20. 13 Eliz. c. 21. 13 Eliz. c. 8. 14 Eliz. c. 11. 14 Eliz. c. 5. 18 Eliz. c. 3. 27 Eliz. c. 11. 27 Eliz. c. 7. 27 Eliz. c. 17. Pr. Continued until the End of the next Parliament. § 1—18. EXP. So much of 5 Eliz. c. 5. as is in force, continued until the End of the next Parliament. § 19.

‘ XX. Where in the Parliament now last past holden at *Westminster*, an A^ct was then made, intituled, *An A^ct for the Continuance and perfecting of divers Statutes*; in the End of which A^ct one Proviso is contained in these Words following; *viz.* Provided always, That whereas divers her Majesty’s loving Subjects dwelling in the remote Places of this Realm are many Times maliciously troubled upon Informations and Suits exhibited in the Courts of King’s Bench, Common Pleas and Exchequer, upon Penal Statutes, and are drawn up upon Process out of the Countries where they dwell, and driven to attend and put in Bail, to their great Troubles and Undoings: For Reformation whereof, Be it enacted, That if any Person or Persons shall be sued or informed against, upon any Penal Law, in any the said Courts of the King’s Bench and Common Pleas, or Exchequer, where such Person or Persons areailable by Law, or where by the Law or Favour of the Court such Person or Persons may appear by Attorney, that in all and every such Case the Person or Persons so to be impleaded or sued, should and might at the Day and Time contained in the first Process served for his Appearance, appear by Attorney of the same Court where the Process is returnable, to answer and defend the same, and not to be urged to personal Appearance, or to put in Bail for the answering of such Suit; any former Law, Custom or Usage to the contrary notwithstanding;’ Be it now enacted by the Authority of this present Parliament, That the same Branch of the said A^ct shall extend, and shall be interpreted, expounded and understood to extend only to the natural Subjects born or to be born within the Dominions of the Queen’s Majesty, her Heirs and Successors, and to Persons made free Denizens, and to no others; any Thing therein contained to the contrary in any wise notwithstanding.

29 Eliz. c. 5.
§ 21.

To what Persons
29 Eliz. c. 5.
shall extend.

C A P. XI.

An Act of Explanation or Declaration of the Statute of *Octavo Regis Henrici Sexti* concerning forcible Entries, the Indictments thereupon to be found.

2H. 6. c. 9.

17.

‘ WHEREAS there is one good Act made and established in the Eighth Year of the Reign of King *Henry* the Sixth, against such Persons as should make forcible Entry into Lands, Tenements and other Possessions, or them should forcibly hold; and one very good Proviso or Clause in the said Act contained, as ensueth:

‘ II. Provided always, That they which keep their Possessions with Force in any Lands and Tenements whereof they or their Ancestors have continued their Possession in the same by Three Years or more, be not endangered by force of the said Statute.

‘ III. And whereas divers of the Queen’s Majesty’s good and loving Subjects and their Ancestors, or those whose Estate they have, for many Years together, above the Space of Three Years or more, have been in quiet Possession of their Dwelling-houses, and other their Lands and Possessions; and now of late divers of her Majesty’s said Subjects, having Entries made upon their Possessions, having had such quiet and long Possession, for disturbing of such Entrers, and for keeping of their Possession against such Entrers, by Colour of Indictments of forcible Entry, or forcibly keeping Possession, found against them, by Means of the Oaths of such Entrers, have been removed and put out of their Dwelling-houses, and other their Possessions which they have quietly held by the Space of Three Years together or longer Time, next before such Indictments found against them, against the true Meaning and Intent of the said Proviso or Clause contained in the said Act:’ For Remedy of which Inconvenience, and for true Declaration and Explanation of the Law therein, Be it ordained, declared and enacted by the Authority of this present Parliament, That no Restitution upon any Indictment of forcible Entry, or holding with Force, be made to any Person or Persons, if the Person or Persons so indicted hath had the Occupation or hath been in quiet Possession by the Space of Three whole Years together next before the Day of such Indictment so found, and his, her or their Estate or Estates therein not ended or determined; which the Party indicted shall and may allege for Stay or Restitution, and Restitution to stay until that be tried if the other will deny or traverse the same: And if the same Allegation be tried against the same Person or Persons so indicted, then the same Person or Persons so indicted to pay such Costs and Damages to the other Party, as shall be assessed by the Judges or Justices before whom the same shall be tried; the same Costs and Damages to be recovered and levied as is usual for Costs and Damages contained in Judgments upon other Actions.

No Restitution
where Three
Years quiet
Possession and
Estate not ended.

Costs.

C A P. XII.

An Act to avoid Horse-stealing.

‘ WHEREAS through most Counties of this Realm Horse-stealing is grown so common, as neither in Pastures or Closes, nor hardly in Stables, the same are to be in Safety from

• from stealing, which ensueth by the ready buying of the same
 • by Horse-couriers and others, in some open Fairs or Markets
 • far distant from the Owner, and with such Speed as the Owner
 • cannot by Pursuit possibly help the same; and sundry good
 • Ordinances have heretofore been made touching the Manner
 • of selling and tolling of Horses, Mares, Geldings and Colts in
 • Fairs and Markets, which have not wrought so good Effect for
 • the repressing or avoiding of Horse-stealing, as was expected:’

II. Now for a further Remedy in that Behalf, Be it enacted by the Authority of this present Parliament, That no Person after Twenty Days next after the End of this Session of Parliament, shall in any Fair or Market sell, give, exchange or put away any Horse, Mare, Gelding, Colt or Filly, unless the Toll-taker there, or (where no Toll is paid) the Book-keeper, Bailiff or the Chief Officer of the same Fair or Market, shall and will take upon him perfect Knowledge of the Person that so shall sell or offer to sell, give or exchange any Horse, Mare, Gelding, Colt or Filly, and of his true Christian Name, Surname and Place of Dwelling or Resiency, and shall enter all the same his Knowledge into a Book there kept for Sale of Horses; or else, that he so selling or offering to sell, give, exchange or put away any Horse, Mare, Gelding, Colt or Filly, shall bring unto the Toll-taker, or other Officer aforesaid, of the same Fair or Market, one sufficient and credible Person that can, shall or will testify and declare unto and before such Toll-taker, Book-keeper or other Officer, that he knoweth the Party that so selleth, giveth, exchangeth or putteth away such Horse, Mare, Gelding, Colt or Filly, and his true Name, Surname, Mystery and Dwelling-place, and there enter or cause to be entered in the Book of the said Toll-taker or Officer, as well the true Christian Name, Surname, Mystery and Place of Dwelling or Resiency of him that so selleth, giveth, exchangeth or putteth away such Horse, Mare, Gelding, Colt or Filly, as of him that so shall testify or avouch his Knowledge of the same Person; and shall also cause to be entered the very true Price or Value that he shall have for the same Horse, Mare, Gelding, Colt or Filly so sold: And that no Person shall take upon him to avouch, testify or declare, that he knoweth the Party that so shall offer to sell, give, exchange or put away any such Horse, Mare, Gelding, Colt or Filly, unless he do indeed truly know the same Party, and shall truly declare to the Toll-taker or other Officer aforesaid, as well the Christian Name, Surname, Mystery and Place of Dwelling and Resiency of himself, as of him of and for whom he maketh such Testimony and Avouchment: And that no Toll-taker or other Person keeping any Book of Entry of Sales of Horses in Fairs or Markets, shall take or receive any Toll, or make Entry of any Sale, Gift, Exchange or putting away, of any Horse, Mare, Gelding, Colt or Filly, unless he knoweth the Party that so selleth, giveth, exchangeth or putteth away any such Horse, Mare, Gelding, Colt or Filly, and his true Christian Name, Surname, Mystery and Place of his Dwelling or Resiency, or the Party that shall and will testify and avouch his Knowledge of the same Person so selling, giving, exchanging or putting away such Horse, Mare, Gelding, Colt or Filly, and his true Christian Name, Surname, Mystery and Place of Dwelling or Resiency, and shall make a perfect Entry into the

Sellers of Horses in Fairs, &c. must be known to Toll-taker;

or a sufficient Person shall avouch Seller.

To be entered.

Price of Horse shall be entered in Toller's Book;

or Toll not to be taken.

said Book, of such his Knowledge of the Person, and of the Name, Surname, Mystery and Place of the Dwelling or Resiency of the same Person, and also the true Price or Value that shall be *bona fide* taken or had for any such Horse, Mare, Gelding, Colt or Filly so sold, given, exchanged or put away, so far as he can understand the same, and then give to the Party so buying or taking by Gift, Exchange or otherwise, such Horse, Mare, Gelding, Colt or Filly, requiring and paying Two Pence for the same, a true and perfect Note in Writing of all the full Contents of the same, subscribed with his Hand; on Pain that every Person that so shall sell, give, exchange or put away any Horse, Mare, Gelding, Colt or Filly, without being known to the Toll-taker or other Officer aforesaid, or without bringing such a Voucher or Witness, causing the same to be entered as aforesaid, and every Person making any untrue Testimony or Avouchment in the Behalf aforesaid, and every Toll-taker, Book-keeper or other Officer of Fair or Market aforesaid, offending in the Premises contrary to the true Meaning aforesaid, shall forfeit, for every such Default, the Sum of Five Pounds; but also that every Sale, Gift, Exchange or other putting away of any Horse, Mare, Gelding, Colt, Filly, in Fair or Market, not used in all Points according to the true Meaning aforesaid, shall be void; the One Half of all which Forfeitures to be to the Queen's Majesty, her Heirs and Successors, and the other Half to him or them that will sue for the same before the Justices of Peace, or in any of her Majesty's ordinary Courts of Record, by Bill, Complaint, Action of Debt or Information; in which no Effoin or Protection shall be allowed.

A Note in Writing shall be given to the Buyer.

Penalty.

Salē void.

Justices of Peace may determine Offences.

III. And be it further enacted, That the Justices of Peace of every Place and County, as well within Liberties as without, shall have Authority in their Sessions, within the Limits of their Authority and Commission, to enquire, hear and determine all Offences against this Statute, as they may do any other Matter triable before them.

Owner may redeem Horse stolen from him within Six Months after, paying the Price.

IV. And be it further enacted, That if any Horse, Mare, Gelding, Colt or Filly, after Twenty Days next ensuing the End of this Session of Parliament, shall be stolen, and after shall be sold in open Fair or Market, and the same Sale shall be used in all Points and Circumstances as aforesaid, that yet nevertheless the Sale of any such Horse, Mare, Gelding, Colt or Filly, within Six Months next after the Felony done, shall not take away the Property of the Owner from whom the same was stolen, so as Claim be made within Six Months by the Party from whom the same was stolen, or by his Executors or Administrators, or by any other by any of their Appointment, at or in the Town or Parish where the same Horse, Mare, Gelding, Colt or Filly shall be found, before the Mayor or other Head Officer of the same Town or Parish, if the same Horse, Mare, Gelding, Colt or Filly shall happen to be found in any Town Corporate or Market-town, or else before any Justice of Peace of that County near to the Place where such Horse, Mare, Gelding, Colt or Filly shall be found, if it be out of a Town Corporate or Market-town; and so as Proof be made within Forty Days then next ensuing by Two sufficient Witnesses, to be produced and deposed before such Head Officer or Justice, (who by virtue of this Act shall have Authority to administer an Oath in that Behalf), that the Property

of the same Horse, Mare, Gelding, Colt or Filly so claimed, was in the Party, by or from whom such Claim is made, and was stolen from him within Six Months next before such Claim of any such Horse, Gelding, Mare, Colt or Filly; but that the Party from whom the said Horse, Mare, Gelding, Colt or Filly was stolen, his Executors or Administrators shall and may at all Times after, notwithstanding any such Sale or Sales in any Fair or open Market thereof made, have Property and Power to have, take again and enjoy the said Horse, Mare, Gelding, Colt or Filly, upon Payment or Readiness, or offer to pay to the Party that shall have the Possession and Interest of the same Horse, Mare, Gelding, Colt or Filly, if he will receive and accept it, so much Money as the same Party shall depose and swear before such Head Officer or Justice of Peace (who by virtue of this Act shall have Authority to minister and give an Oath in that Behalf), that he paid for the same *bona fide*, without Fraud or Collusion; any Law, Statute or other Thing to the contrary thereof in any wise notwithstanding.

V. And be it further enacted by the Authority aforesaid, Accessory.
That after Twenty Days after the End of this Session of Parliament, not only all Accessories before such Felony done, but also all Accessories after such Felony, shall be deprived and put from all Benefit of their Clergy, as the Principal by Statute heretofore made is or ought to be.

C A P. XIII.

An Act for reviving and enlarging of a Statute made in the 23 Eliz. c. 6.
xxiii. Year of her Majesty's Reign, for repairing of *Dover*
Haven. EXP.

C A P. XIV.

An Act for Confirmation of the Subsidies of the Clergy.
EXP.

C A P. XV.

An Act for the granting of Four Fifteens and Tenths, and
Two entire Subsidies, to our most gracious Sovereign
Lady the Queen's most Excellent Majesty. EXP.

C A P. XVI.

An Act for the Queen's Majesty's most gracious, general
and free Pardon.

[Note.—The last Three Acts not on the Roll.]

Anno tricesimo quinto Reginæ ELIZABETHÆ.
(A.D. 1593.)

STATUTES made in the Parliament begun and holden at Westminster the Nineteenth Day of February in the Five and thirtieth Year of the Reign of our Sovereign Lady ELIZABETH, by the Grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c. and there continued until and on the Tenth Day of April then next following, and then dissolved.

C A P. I.

An Act to retain the Queen's Majesty's Subjects in their due Obedience.

Refusing to come
to Church.

Persuading to
impugn the
Queen's Authority.

Being present at
Conventicles.

FOR the preventing and avoiding of such great Inconveniencies and Perils as might happen and grow by the wicked and dangerous Practices of seditious Sectaries and disloyal Persons; Be it enacted by the Queen's most excellent Majesty, and by the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons above the Age of Sixteen Years, which shall obstinately refuse to repair to some Church, Chapel or usual Place of Common Prayer, to hear Divine Service established by her Majesty's Laws and Statutes in that Behalf made, and shall forbear to do the same by the Space of a Month next after, without any lawful Cause, shall at any Time after Forty Days next after the End of this Session of Parliament, by Printing, Writing, or express Words or Speeches, advisedly or purposely practise or go about to move or persuade any of her Majesty's Subjects, or any other within her Highness Realms or Dominions, to deny, withstand and impugn her Majesty's Power and Authority in Cases Ecclesiastical, united and annexed to the Imperial Crown of this Realm; or to that End or Purpose shall advisedly and maliciously move or persuade any other Person whatsoever to forbear or abstain from coming to Church to hear Divine Service, or to receive the Communion according to her Majesty's Laws and Statutes aforesaid, or to come to or be present at any unlawful Assemblies, Conventicles or Meetings, under Colour or Pretence of any Exercise of Religion, contrary to her Majesty's said Laws and Statutes: Or if any Person or Persons which shall obstinately refuse to repair to some Church, Chapel or usual Place of Common Prayer, and shall forbear by the Space of a Month to hear Divine Service, as is aforesaid, shall, after the said Forty Days, either of him or themselves, or by the Motion, Persuasion, Enticement or Allurement of any other, willingly join in, or be present at, any such Assemblies, Conventicles or Meetings, under Colour or Pretence of any such Exercise of Religion, contrary to the Laws and Statutes of this Realm, as is aforesaid; that then every

every such Person so offending as aforesaid, and being thereof lawfully convicted, shall be committed to Prison, there to remain without Bail or Mainprize, until they shall conform and yield themselves to come to some Church, Chapel or usual Place of Common Prayer, and hear Divine Service, according to her Majesty's Laws and Statutes aforesaid, and to make such open Submission and Declaration of their said Conformity, as hereafter in this Act is declared and appointed. Punishment.

[See 1 W. & M. Sess. 1. c. 18.]

II. Provided always, and be it further enacted by the Authority aforesaid, That if any such Person or Persons, which shall offend against this Act as aforesaid, shall not within Three Months next after they shall be convicted of their said Offence, conform themselves to the Obedience of the Laws and Statutes of this Realm, in coming to the Church to hear Divine Service, and in making such public Confession and Submission, as hereafter in this Act is appointed and expressed, being thereunto required by the Bishop of the Diocese, or any Justice of the Peace of the County where the same Person shall happen to be, or by the Minister or Curate of the Parish; that in every such Case every such Offender, being thereunto warned or required by any Justice of the Peace of the same County where such Offender shall then be, shall upon his and their corporal Oath before the Justices of the Peace in the open Quarter-Sessions of the same County, or at the Assizes and Gaol-delivery of the same County, before the Justices of the same Assizes and Gaol-delivery, abjure this Realm of *England*, and all other the Queen's Majesty's Dominions for ever, unless her Majesty shall license the Party to return; and thereupon shall depart out of this Realm at such Haven or Port, and within such Time, as shall in that Behalf be assigned and appointed by the said Justices before whom such Abjuration shall be made, unless the same Offender be letted or stayed by such lawful and reasonable Means or Causes, as by the Common Laws of this Realm are permitted and allowed in Cases of Abjuration for Felony; and in such Cases of Let or Stay, then within such reasonable and convenient Time after, as the Common Law requireth in case of Abjuration for Felony, as is aforesaid: And that the Justices of Peace before whom any such Abjuration shall happen to be made, as is aforesaid, shall cause the same presently to be entered of Record before them, and shall certify the same to the Justices of Assizes and Gaol-delivery of the said County, at the next Assizes or Gaol-delivery to be holden in the same County. Not conforming.

to abjure the Realm.

To be entered of Record.

III. And if any such Offender, which by the Tenor and Intent of this Act is to be abjured as is aforesaid, shall refuse to make such Abjuration as is aforesaid, or after such Abjuration made, shall not go to such Haven, and within such Time as is before appointed, and from thence depart out of this Realm, according to this present Act, or after such his Departure shall return or come again into any her Majesty's Realms or Dominions, without her Majesty's special Licence in that Behalf first had and obtained; that then and in every such Case the Person so offending shall be adjudged a Felon, and shall suffer as in Case of Felony, without Benefit of Clergy. Refusing to abjure, &c.

Felony.

IV. And furthermore be it enacted by the Authority of this present Parliament, That if any Person or Persons that shall at any Time hereafter offend against this Act, shall, before he or they

Submission.

be so warned or required to make Abjuration according to the Tenor of this Act, repair to some Parish Church on some Sunday or other Festival Day, and then and there hear Divine Service, and at Service-time, before the Sermon, or reading of the Gospel, make public and open Submission and Declaration of his and their Conformity to her Majesty's Laws and Statutes, as hereafter in this Act is declared and appointed; that then the same Offender shall thereupon be clearly discharged of and from all and every the Penalties and Punishments inflicted or imposed by this Act for any of the Offences aforesaid. The same Submission to be made as hereafter followeth; that is to say,

Discharge.

Form of Submission.

' V. I. A. B. do humbly confess and acknowledge, That I have grievously offended God in contemning her Majesty's godly and lawful Government and Authority, by absenting myself from Church, and from hearing Divine Service, contrary to the godly Laws and Statutes of this Realm, and in using and frequenting disordered and unlawful Conventicles and Assemblies, under Pretence and Colour of Exercise of Religion: And I am heartily sorry for the same, and do acknowledge and testify in my Conscience, That no other Person hath or ought to have any Power or Authority over her Majesty: And I do promise and protest, without any Dissimulation, or any Colour or Means of any Dispensation, That from henceforth I will from Time to Time obey and perform her Majesty's Laws and Statutes, in repairing to the Church and hearing Divine Service, and do my uttermost Endeavour to maintain and defend the same.'

Submission to be entered.

VI. And that every Minister or Curate of every Parish where such Submission and Declaration of Conformity shall hereafter be so made by any such Offender as aforesaid, shall presently enter the same into a Book to be kept in every Parish for that Purpose, and within Ten Days next following shall certify the same in Writing to the Bishop of the same Diocese.

Relapse.

VII. Provided nevertheless, That if any such Offender, after such Submission made as is aforesaid, shall afterwards fall into Relapse, or afterwards obstinately refuse to repair to some Church, Chapel or usual Place of Common Prayer, to hear Divine Service, and shall forbear the same as aforesaid, or shall come or be present at any such Assemblies, Conventicles or Meetings, under Colour or Pretence of any Exercise of Religion, contrary to her Majesty's Laws and Statutes; that then every such Offender shall lose all such Benefit as he or she might otherwise by virtue of this Act have or enjoy by reason of their said Submission, and shall thereupon stand and remain in such Plight, Condition and Degree, to all Intents as though such Submission had never been made.

" Keeping a Recusant after Notice, Penalty. § 8. What Recusants may be kept, &c. § 9. [Secs. 8 and 9. repealed, 3 Jac. 1, c. 4. § 31. and other Provisions, § 32.]

23 Eliz. c. 1.

X. And for the more speedy levying and recovering, for and by the Queen's Majesty, of all and singular the Pains, Duties, Forfeitures and Payments which at any Time hereafter shall accrue, grow or be payable by virtue of this Act, or of the Statute made in the Three and twentieth Year of her Majesty's Reign concerning Recusants; Be it enacted by the Authority aforesaid, That all and every the said Pains, Duties, Forfeitures and Payments, shall

The Queen's Remedy to recover Forfeitures.

shall and may be recovered and levied to her Majesty's Use, by Action of Debt, Bill, Plaint, Information or otherwise, in any of the Courts commonly called the King's Bench, Common Pleas or Exchequer, in such Sort, and in all Respects, as by the ordinary Course of the Common Laws of this Realm any other Debt due by any such Person in any other Case should or may be recovered or levied, wherein no Essoin, Protection or Wager of Law shall be admitted or allowed.

XI. Provided always, That the Third Part of the Penalties to be had or received by virtue of this Act, shall be employed and bestowed to such good and charitable Uses, and in such Manner and Form, as is limited and appointed in the Statute made in the Twenty eighth Year of her Majesty's Reign touching Recusants. Proviso.
29 Elis. c. 6.

XII. Provided also, That no Popish Recusant, or Feme Covert, shall be compelled or bound to abjure by virtue of this Act. Proviso.

XIII. Provided also, That every Person that shall abjure by force of this Act, or refuse to abjure, being thereunto required as aforesaid, shall forfeit and lose to her Majesty all his Goods and Chattels for ever; and shall further lose all his Lands, Tenements and Hereditaments, for and during the Life only of such Offender, and no longer; and that the Wife of any Offender, by force of this Act, shall not lose her Dower: Nor that any Corruption of Blood shall grow or be by Reason of any Offence mentioned in this Act; but that the Heir of every such Offender, by force of this Act, shall and may, after the Death of every Offender, have and enjoy the Lands, Tenements and Hereditaments of such Offender, as if this Act had not been made; And this Act to continue no longer than to the End of the next Session of Parliament. Proviso.
Dower.
Heir.
Continuance.

[Continued as to so much of it as hath not been since repealed by any other Statute, 3 Car. 1. c. 4. § 21, 22.; and further continued, 16 Car. 1. c. 4.]

C A P. II.

An Act for the restraining of Popish Recusants to some certain Places of Abode.

FOR the better discovering and avoiding of such traitorous and most dangerous Conspiracies and Attempts as are daily devised and practised against our most gracious Sovereign Lady the Queen's Majesty, and the happy Estate of this Common Weal, by sundry wicked and seditious Persons, who terming themselves Catholics, and being indeed Spies and Intelligencers, not only for her Majesty's foreign Enemies, but also for rebellious and traitorous Subjects born within her Highness Realms and Dominions, and hiding their most detestable and devilish Purposes under a false Pretext of Religion and Conscience, do secretly wander and shift from Place to Place within this Realm, to corrupt and seduce her Majesty's Subjects, and to stir them to Sedition and Rebellion:

II. Be it ordained and enacted by our Sovereign Lady the Queen's Majesty, and the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That every Person above the Age of Sixteen

Convicted Recusant shall not remove above Five Miles from his House.

Sixteen Years, born within any of the Queen's Majesty's Realms and Dominions, or made Denizen, being a Popish Recusant, and before the End of this Session of Parliament convicted for not repairing to some Church, Chapel or usual Place of Common Prayer, to hear Divine Service there, but forbearing the same, contrary to the Tenor of the Laws and Statutes heretofore made and provided in that Behalf, and having any certain Place of Dwelling and Abode within this Realm, shall within Forty Days next after the End of this Session of Parliament, (if they be within this Realm, and not restrained or stayed either by Imprisonment, or by her Majesty's Commandment, or by Order and Direction of some Six or more of the Privy Council, or by such Sickness and Infirmary of Body, as they shall not be able to travel without imminent Danger of Life, and in such Cases of Absence out of the Realm, Restraint or Stay, then within Twenty Days next after they shall return into the Realm, and be enlarged of such Imprisonment or Restraint, and shall be able to travel), repair to their Place of Dwelling where they usually heretofore made their common Abode, and shall not at any Time after pass or remove above Five Miles from thence.

Recusants convicted to repair to their Dwelling.

III. And also that every Person being above the Age of Sixteen Years, born within any her Majesty's Realms or Dominions, or made Denizen, and having, or which hereafter shall have, any certain Place of Dwelling and Abode within this Realm, which, being then a Popish Recusant, shall at any Time hereafter be lawfully convicted for not repairing to some Church, Chapel or usual Place of Common Prayer to hear Divine Service there, but forbearing the same contrary to the said Laws and Statutes, and being within this Realm at the Time that they shall be convicted, shall, within Forty Days next after the same Conviction, (if they be not restrained or stayed by Imprisonment or otherwise, as is aforesaid, and in such Cases of Restraint and Stay, then within Twenty Days next after they shall be enlarged of such Imprisonment or Restraint, and shall be able to travel), repair to their Place of usual Dwelling and Abode, and shall not at any Time after pass or remove above Five Miles from thence; upon Pain that every Person and Persons that shall offend against the Tenor and Intent of this Act in any Thing before mentioned, shall lose and forfeit all his and their Goods and Chattels, and shall also lose and forfeit to the Queen's Majesty all the Lands, Tenements and Hereditaments, and all the Rents and Annuities of every such Person so doing or offending, during the Life of the same Offender.

Punishy.

Recusant having no Place of Abode,

IV. And be it also enacted by the Authority aforesaid, That every Person above the Age of Sixteen Years, born within any her Majesty's Realms or Dominions, not having any certain Place of Dwelling and Abode within this Realm, and being a Popish Recusant, not usually repairing to some Church, Chapel or usual Place of Common Prayer, but forbearing the same contrary to the same Laws and Statutes in that Behalf made, shall within Forty Days next after the End of this Session of Parliament, (if they be then within this Realm, and not imprisoned, restrained or stayed as aforesaid, and in such Case of Absence out of the Realm, Imprisonment, Restraint or Stay, then within Twenty Days next after they shall return into the Realm, and be enlarged of such Imprisonment or Restraint, and shall be able to travel), repair

what he shall do.

to the Place where such Person was born, or where the Father or Mother of such Person shall then be dwelling, and shall not at any Time after remove or pass above Five Miles from thence; upon Pain that every Person and Persons which shall offend against the Tenor and Intent of this Act in any Thing before mentioned, shall lose and forfeit all his and their Goods and Chattels, and shall also forfeit to the Queen's Majesty all the Lands, Tenements and Hereditaments, and all the Rents and Annuities of every such Person so doing or offending, during the Life of the same Person. Penalty.

V. And be it further enacted by the Authority aforesaid, That every such Offender as is before mentioned, which hath or shall have any Lands, Tenements or Hereditaments, by Copy of Court-Roll, or by any other customary Tenure at the Will of the Lord, according to the Custom of any Manor, shall forfeit all and singular his and their said Lands, Tenements and Hereditaments, so holden by Copy of Court-Roll or customary Tenure, as is aforesaid, for and during the Life of such Offender, (if his or her Estate so long continue), to the Lord or Lords of whom the same be immediately holden, if the same Lord or Lords be not then a Popish Recusant, and convicted for not coming to Church to hear Divine Service, but forbearing the same contrary to the Laws and Statutes aforesaid, nor seised or possessed upon Trust, to the Use or Behoof of any such Recusant as aforesaid, and in such Case the same Forfeiture to be to the Queen's Majesty. Recusant Copyholder departing Five Miles from Abode.

Penalty.

VI. Provided always, and be it further enacted by the Authority aforesaid, That all such Persons as by the Intent and true Meaning of this Act are to make their Repair to their Place of Dwelling and Abode, or to the Place where they were born, or where their Father or Mother shall be dwelling, and not to remove or pass above Five Miles from thence as is aforesaid, shall within Twenty Days next after their coming to any of the said Places (as the Case shall happen), notify their coming thither, and present themselves, and deliver their true Names in Writing, to the Minister or Curate of the same Parish, and to the Constable, Headborough or Tithingman of the Town, and thereupon the said Minister or Curate shall presently enter the same into a Book to be kept in every Parish for that Purpose. Recusants to deliver their Names to Curate.

VII. And afterward the said Minister or Curate, and the said Constable, Headborough or Tithingman, shall certify the same in Writing to the Justices of the Peace of the same County at the next General or Quarter-Sessions to be holden in the same County; and the said Justices shall cause the same to be entered by the Clerk of the Peace in the Rolls of the same Sessions. To be certified to Justices.

VIII. And to the End that the Realm be not pestered and overcharged with the Multitude of such seditious and dangerous People as is aforesaid, who having little or no Ability to answer or satisfy any competent Penalty for their Contempt and Disobedience of the said Laws and Statutes, and being committed to Prison for the same, do live for the most Part in better Case there, than they could if they were abroad at their own Liberty; the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, do most humbly and instantly beseech the Queen's Majesty that it may be further enacted, That if any such Person or Persons, being a Popish Recusant, (not being a Feme Covert, and not having Lands, Tenements, Rents or Annuities, Recusant of small Ability not repairing to Place appointed,

or departing
thence,

Annuities, of an absolute Estate of Inheritance or Freehold, of the clear yearly Value of Twenty Marks, above all Charges, to their own Use and Behoof, and not upon any secret Trust or Confidence for any other, or Goods and Chattels in their own Right, and to their own proper Use and Behoof, and not upon any such secret Trust and Confidence for any other, above the Value of Forty Pounds), shall not within the Time before in this Act in that Behalf limited and appointed, repair to their Place of usual Dwelling and Abode, if they have any, or else to the Place where they were born, or where their Father or Mother shall be dwelling, according to the Tenor and Intent of this present Act; and thereupon notify their coming, and present themselves, and deliver their true Names in Writing to the Minister or Curate of the Parish, and to the Constable, Headborough or Tithingman of the Town, within such Time, and in such Manner and Form as is aforesaid; or at any Time after such their repairing to any such Place as is before appointed, shall pass or remove above Five Miles from the same; and shall not within Three Months next after such Person shall be apprehended or taken for offending as is aforesaid, conform themselves to the Obedience of the Laws and Statutes of this Realm, in coming usually to the Church to hear Divine Service, and in making such public Confession and Submission, as hereafter in this Act is appointed and expressed, being thereunto required by the Bishop of the Diocese, or any Justice of the Peace of the County where the same Person shall happen to be, or by the Minister or Curate of the Parish; that in every such Case every such Offender, being thereunto warned or required by any Two Justices of the Peace, or Coroner of the same County where such Offenders shall then be, shall upon his or their corporal Oath before any Two Justices of the Peace, or Coroner of the same County, abjure this Realm of *England*, and all other the Queen's Majesty's Dominions for ever; and thereupon shall depart out of this Realm at such Haven or Port, and within such Time, as shall in that Behalf be assigned and appointed by the said Justices of Peace or Coroner, before whom such Abjuration shall be made, unless the same Offenders be letted or stayed by such lawful and reasonable Means or Causes, as by the Common Laws of this Realm are permitted and allowed in Cases of Abjuration and Felony; and in such Cases of Let or Stay, then within such reasonable and convenient Time after, as the Common Law requireth in case of Abjuration for Felony as is aforesaid.

shall abjure the
Realm.

To be entered
of Record, and
certified.

IX. And that every Justice of Peace or Coroner before whom any such Abjuration shall happen to be made as is aforesaid, shall cause the same presently to be entered of Record before them, and shall certify the same to the Justices of Assizes or Gaol-delivery of the said County, at the next Assizes or Gaol-delivery to be holden in the same County.

Recusant not
abjuring, &c.

X. And if any such Offender, which by the Tenor and Intent of this Act is to be abjured as is aforesaid, shall refuse to make such Abjuration as is aforesaid, or, after such Abjuration made, shall not go to such Haven, and within such Time as is before appointed, and from thence depart out of this Realm, according to this present Act, or after such his Departure shall return or come again into any her Majesty's Realms or Dominions, without her Majesty's special Licence in that Behalf first had and obtained; that
then

then in every such Case the Person so offending shall be adjudged a Felony, and shall suffer and lose as in case of Felony without Benefit of Clergy.

Felony.

XI. And be it further enacted and ordained by the Authority aforesaid, That if any Person which shall be suspected to be a Jesuit, Seminary or Massing Priest, being examined by any Person having lawful Authority in that Behalf to examine such Person which shall be so suspected, shall refuse to answer directly and truly whether he be a Jesuit, or a Seminary or Massing Priest, as is aforesaid, every such Person so refusing to answer shall for his Disobedience and Contempt in that Behalf, be committed to Prison by such as shall examine him as is aforesaid, and thereupon shall remain and continue in Prison without Bail or Mainprize, until he shall make direct and true Answer to the said Questions whereupon he shall be so examined.

Jesuit or Priest refusing to answer.

Punishment.

“ Licence to travel above Five Miles. § 12.
3 Jac. 1. c. 5. § 6.]

[*Repealed,*

XIII. Provided also, That if any such Persons so restrained as is aforesaid, shall be urged by Process, without Fraud or Covin, or be bounded without Fraud or Covin, to make Appearance in any of her Majesty's Courts, or shall be sent for, commanded or required by any Three or more of her Majesty's Privy Council, or by any Four or more of any Commissioners to be in that Behalf nominated and assigned by her Majesty, to make Appearance before her Majesty's said Council or Commissioners; that in every such Case, every such Person so bounden, urged, commanded or required to make such Appearance, shall not incur any Pain, Forfeiture or Loss for travelling to make Appearance accordingly, nor for his Abode concerning the same, nor for convenient Time for his Return back again upon the same.

Persons urged by Process, &c.

XIV. And be it further provided and enacted by the Authority aforesaid, That if any such Person or Persons so restrained as is aforesaid, shall be bound, or ought to yield and render their Bodies to the Sheriff of the County where they shall happen to be, upon Proclamation in that Behalf without Fraud or Covin to be made; that then in every such Case, every Person which shall be so bounden, or ought to yield and render their Body as aforesaid, shall not incur any Pain, Forfeiture or Loss for travelling for that Intent and Purpose only, without any Fraud or Covin, nor for convenient Time taken for the Return back again upon the same.

Persons who are to yield their Bodies to Sheriff.

XV. And furthermore be it enacted by the Authority of this present Parliament, That if any Person or Persons that shall at any Time hereafter offend against this Act, shall, before he or they shall be thereof convicted, come to some Parish Church on some Sunday or other Festival Day, and then and there hear Divine Service, and at Service-time, before the Sermon, or reading of the Gospel, make public and open Submission and Declaration of his and their Conformity to her Majesty's Laws and Statutes, as hereafter in this Act is declared and appointed; that then the same Offender shall thereupon be clearly discharged of and from all and every Pains and Forfeitures inflicted or imposed by this Act for any of the said Offences in this Act contained: The same Submission to be made as hereafter followeth; that is to say,

Submission.

Discharge.

‘ XVI. I A. B,

Form of
Submission.

‘XVI. I *A. B.* do humbly confesse and acknowledge, That I
‘have grievously offended God in contemning her Majesty’s godly
‘and lawful Government and Authority, by absenting myself
‘from Church, and from hearing Divine Service, contrary to the
‘godly Laws and Statutes of this Realm: And I am heartily
‘sorry for the same, and do acknowledge and testify in my Con-
‘science, that the Bishop or See of *Rome* hath not, nor ought to
‘have, any Power or Authority over her Majesty, or within any
‘her Majesty’s Realms or Dominions: And I do promise and
‘protest, without any Dissimulation, or any Colour or Means of
‘any Dispensation, that from henceforth I will from Time to
‘Time obey and perform her Majesty’s Laws and Statutes, in
‘repairing to the Church, and hearing Divine Service, and do
‘my uttermost Endeavour to maintain and defend the same.’

Minister to enter
Submission.

XVII. And that every Minister or Curate of every Parish,
where such Submission and Declaration of Conformity shall here-
after be so made by any such Offender as aforesaid, shall pre-
sently enter the same into a Book to be kept in every Parish for
that Purpose, and within Ten Days then next following shall
certify the same in Writing to the Bishop of the same Diocese.

Relapse.

XVIII. Provided nevertheless, That if any such Offender,
after such Submission made as is aforesaid, shall afterward fall
into Relapse, or estoons become a Recusant, in not repairing to
Church to hear Divine Service, but shall forbear the same, con-
trary to the Laws and Statutes in that Behalf made and provided;
that then every such Offender shall lose all such Benefit as he or
she might otherwise by virtue of this Act have or enjoy by reason
of their said Submission; and shall thereupon stand and remain in
such Plight, Condition, and Degree, to all Intents, as though such
Submission had never been made.

Married Women
how far bound.

XIX. Provided always, and be it enacted by the Authority
aforesaid, That all and every Woman married, or hereafter to be
married, shall be bound by all and every Article, Branch and
Matter contained in this Statute, other than the Branch and
Article of Abjuration before mentioned: And that no such Wo-
man married, or to be married, during Marriage, shall be in any
wise forced or compelled to abjure, or be abjured, by virtue of
this Act; any Thing therein contained to the contrary thereof
notwithstanding.

C A P. III.

An Act for Explanation of the Statute made in the
xxxiiii th. † Year of King *Henry* the Eighth, as well touch-
ing Grants made to His Majesty, as for Confirmation
of Letters Patents made by His Highness to others.

† Sic.

‘FORASMUCH as divers Ambiguities, Doubts and Questions
‘have arisen and been moved, as well touching divers Sur-
‘renders, Grants and Conveyances made and granted by sundry
‘late Abbots, Priors, and other Religious and Ecclesiastical Per-
‘sons, to the late King of famous Memory King *Henry* the
‘Eighth, after the Fourth Day of *February*, in the Seven and
‘twentieth Year of his Reign, of divers their Honours, Manors,
‘Lands, Tenements and Hereditaments; as also touching and
‘concerning

concerning the Validity of the Erections of such Deans and Chapters, and such Colleges as were erected, ordained, made or founded by the said late King *Henry* the Eighth, after the said Fourth Day of *February*, in the said Seven and twentieth Year of his Reign; And forasmuch as the same Doubts and Questions seem not to be sufficiently remedied or provided for, by the Statute made in the Four and thirtieth Year of the Reign of the said late King *Henry* the Eighth, intituled, *An Act for Confirmation of Letters Patents*, notwithstanding mis-naming of any Thing contained in the same: 34 & 35 H. 8. c. 21.

II. Be it therefore declared, explained and enacted by Authority of this present Parliament, That all and every Honours, Manors, Lands, Tenements and Hereditaments, which at any Time heretofore were the Possessions of any Abbey, Monastery, Priory, Nunnery or other Religious or Ecclesiastical House or Houses, and which after the said Fourth Day of *February*, in the said Seven and twentieth Year of the said late King *Henry* the Eighth, came to the Hands or Possession of the said late King *Henry* the Eighth; or which were put in Charge to or for his Highness in his Court of Exchequer, or any other Courts of the said late King, concerning his Majesty's Revenues, or by any Auditor or other Officer of the said late King; or which after the said Fourth Day of *February*, in the Seven and twentieth Year aforesaid, were granted or conveyed, or mentioned to be granted or conveyed, in or by any Letters Patents whatsoever, made by the said late King *Henry* the Eighth, to any Person or Persons, Bodies Politick or Corporate; were and shall be reputed, taken and adjudged to have been lawfully and perfectly in the actual and real Possession of the said late King, and his Heirs and Successors, at such Time as the same did so come to his Majesty's Hands and Possession, or were so put in Charge, or granted or conveyed by the said late King *Henry* the Eighth, as aforesaid, notwithstanding any Defect, Want or Insufficiency of, or in any Surrender, Grant or Conveyance of the same Honours, Manors, Lands, Tenements or Hereditaments, or any Part thereof, to the said late King *Henry* the Eighth, or any other Matter or Cause whatsoever, by which his Highness was or might have been entitled to the same.

Abbey Lands which came to King H. 8. &c. adjudged to have been in actual Possession, &c.

III. And be it further declared and enacted by the Authority aforesaid, That all and singular Letters Patents made by the said King *Henry* the Eighth, at any Time after the said Fourth Day of *February*, in the said Seven and Twentieth Year of his Reign, for the Erection, Foundation, Incorporation or Endowment of any Dean and Chapter, or College, were and shall be reputed, taken and adjudged to have been good, perfect and effectual in the Law, for all Things therein contained, according to the true Intent and Meaning of the same; any Thing, Matter or Cause, to the contrary thereof in any wise notwithstanding.

Letters Patents for Foundation of Dean and Chapter, &c. good. 34 & 35 H. 8. c. 21.

IV. Saving always unto all Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, and every of them, (other than the late Abbots, Abbesses, Priors, Prioresses and other Governors of such Abbeys, Monasteries, Priories, Nunneries and other Religious and Ecclesiastical Houses, and their Successors, and such as pretended to be Founders, Patrons or Donors of the same, or any of them; or of any Manors, Lands, Tenements

General Saving.

upon his or their Oath affirming that he or they then had not nor
 could not come by the same, or that it was never put in Writing,
 then the Effect thereof in Writing to be entred and inrolled
 of Record, or else every such Grant, Conveyance and Assurance
 should be utterly void and of none Effect, to all Intents and
 Purposes, as by the same Statute more at large doth appear.
 And whereas also the said *Francis Englefield* the Nephew, in the
 Term of *Saint Michael* in the Twenty ninth and Thirtieth Years
 of the Queen's Majesty's Reign, viz. on the Twentieth Day of
 November in the said Thirtieth Year of her Highness Reign,
 did come in proper Person unto her Majesty's Court of Ex-
 chequer, and there in open Court did exhibit a Writing, being
 as he alledged the Effect of a certain Grant, Conveyance and
 Assurance made by the said Sir *Francis Englefield* after the
 beginning of her Majesty's Reign, of sundry the Manors, Lands,
 Tenements and Hereditaments of the said Sir *Francis Englefield*,
 and there in open Court did take a corporal Oath, that he then
 had not the said Grant, Conveyance or Assurance, nor then
 could come by the same: The Tenor of which said Writing of
 Effect so exhibited by the said *Francis Englefield* the Nephew
 hereafter followeth, in *hec verba*, viz. *Sfb. Berk. Oxon. Wilt-*
shire, Bulb., Warwick, Salop. &c. Sfb. The Effect of a Con-
 veyance made by Sir *Francis Englefield*, Knight, late attainted of
 High Treason, *Sfb.* The said Sir *Francis Englefield* sithence the
 beginning of the Queen's Majesty's Reign that now is, and long
 before the Treason committed, for which the said Sir *Francis* is
 attainted, and long before the Statute made in the Thirteenth
 Year of the Queen's Majesty's Reign that now is, against Fug-
 tives beyond the Seas, in performance of sundry Promises and
 Agreements between him and Sir *Edward Fyton*, then of *Bos-*
worth in the County of *Chester*, Knight, now deceased, made
 upon Conclusion of a Marriage between *John Englefield*, Brother
 of the said Sir *Francis Englefield*, and *Margaret Fyton*, Sister of
 the said Sir *Edward*, did by his Deed indented in Writing, for
 and in Consideration of the great Favour, Zeal and Affection
 that he did bear to *Francis Englefield*, Son of the said *John*, and
 of the nearness of Blood that was between them, and for the
 Advancement in living of the said *Francis* the Nephew in Time
 to come, and for his Preferment, and for the Continuance of the
 Lands and Tenements of the said Sir *Francis Englefield*, in the
 said Deed expressed in the Blood of the said Sir *Francis Engle-*
field, and in the Name of the *Englefields*, and for divers other
 good Causes and Considerations him moving, for him and his
 Heirs covenanted and granted, to, and with the Person or Per-
 sons, Party to the said Deed, That he the said Sir *Francis*
Englefield and his Heirs, and all and every other Person and Per-
 sons, and his and their Heirs, that then stood and were seised,
 or that after that Time should stand and be seised of, or in the
 Manors of *Englefield*, *Tidmarsh*, *Tilchurst*, *Sbindlesbam*, *Brimpton*,
Hilley, *South Morceton*, *Spenhamland* and *Partridge*, and the Grounds
 called *Kittenden* and *Permens*, in the County of *Barbeshire*: The
 Manors of *Shiplacke*, *Lastbrooke* and *Dunsdon*, and the Ground
 known by the Name of *Enlade* in the County of *Oxenford*:
 The Manor of *Wotton Bassett* in the County of *Wiltshire*: The
 Manor of *Edgeest* in the County of *Byrthingham*: The Grounds

13 Eliz. c. 3.

and Pastures called *Broughton* in the County of *Warwick*, and the Reversion and Remainder of the Park called *Fullroke Park* in the said County of *Warwick*, and of or in the Manor and Isle of *Uprossall*, and the Manors of *Yeaton* and *Tugden*, in the County of *Salop*, with all and singular their Rights, Members and Appurtenances, and of and in all and whatsoever other Manors, Farms, Messuages, Lands, Tenements, Woods, Waters, Fishings, Rents, Reversions, Remainders, Services and Hereditaments whatsoever, in the said Counties of *Barkefbire*, *Oxford*, *Wiltfbire*, *Buckingham*, *Warwick* and *Salop*, or elsewhere within the Realm of *England*, in which the said Sir *Francis Englefield* then had any Estate of Inheritance, should from thenceforth stand and be seised thereof, and of every Part thereof, and Parcel thereof, to the Uses and Intents in the said Deed expressed, and to none other Use, Intent or Purpose, that is to say, to the Use of the said Sir *Francis Englefield* for Term of his Life natural, and after his Decease to the Use of the said *Francis Englefield*, his Nephew, and of his Heirs Males of his Body lawfully begotten, and for Default of such Issues, to the Use of the right Heirs and Assigns of the said *Francis Englefield* the Nephew for evermore.

Provided always, that if it should fortune the said Sir *Francis Englefield* after that Time to have any Issue Male of his Body lawfully begotten, that then and from thenceforth all the Uses, Estates and Limitations whatsoever, contained or expressed in the said Deed, should be utterly void and of none Effect, as by the same Writing exhibited in the said Court of Exchequer, and there remaining of Record, it doth and may appear. In which said Writing so exhibited by the said *Francis Englefield* the Nephew, as the Effect of the said supposed Conveyance made by the said Sir *Francis Englefield*, the said *Francis Englefield* the Nephew hath not expressed the certain and true Date and Time of the making of the said Conveyance or Assurance, nor the said Condition or Proviso, That upon the said Tender of a Ring of Gold, as aforesaid, the said Conveyance should be void, but hath utterly omitted the same. And where also our said Sovereign Lady the Queen's Majesty directed her Highness Commission under the Great Seal of *England*, to *Richard Broughton* and *Henry Bourghchier* Esquires, authorizing them thereby jointly and severally for her Majesty, and in her Majesty's Place, Stead and Person, to deliver or offer unto the said *Francis Englefield* the Nephew, a Ring of Gold, to the Intent to make frustrate the Uses and Limitations limited, raised and appointed in the said Writing made by the said Sir *Francis Englefield*, by force of which said Commission, the said *Richard Broughton* and *Henry Bourchier* did for our said Sovereign Lady the Queen, and in the Name, Place, Stead and Person of her Majesty, offer to the said *Francis Englefield* the Nephew, one Ring of Gold, according to the Effect and Tenor of the said Commission, to the Intent to make void the said Uses and Limitations, as by the said Commission, and the Return thereof remaining likewise of Record in the said Court of Exchequer, more at large it doth and may appear.

II. Be it declared and enacted by the Authority of this present Parliament, That the said several Attainders of the said Sir *Francis Englefield*

Englefield shall stand and be good and effectual in the Law, and that the Queen's Majesty lawfully and justly was, and by the Laws and Statutes of this Realm ought to be intituled to take the Benefit and Advantage of the said Condition and Proviso, and that in such and the same Manner, Form and Degree, and as amply and fully in every Respect, as the said Sir *Francis Englefield*, Knight, himself at any Time might have done, and that the said Condition performed by her Majesty's Direction, and by virtue of her Highness Commission, as is aforesaid, is well and lawfully performed. And that the said Condition and the Possession of the said Manors, Lands, Tenements and Hereditaments, was by the Laws and Statutes of this Realm lawfully, actually and really in her Majesty, and that without any Inquisition or Office finding the same. And that the Effect of the Conveyance or Assurance made by the said Sir *Francis Englefield* which was exhibited, or pretended to be exhibited by the said *Francis* the Nephew, in the said Court of Exchequer in the said Term of *Saint Michael*, in the Twenty ninth and Thirtieth Year of her Majesty's Reign, was not exhibited according to the true Meaning of the said Act, made in the said Twenty eighth Year of the Queen's Majesty's Reign, and therefore by virtue of this Act is adjudged to be merely void and of none effect.

29 Eliz. c. 3.

III. And be it further enacted and ordained by the Authority of this present Parliament, That all and singular the Honours, Manors, Lands, Tenements, Rents, Reversions and Hereditaments, with the Appurtenances which the said Sir *Francis Englefield*, Knight, had at any Time sithence his Departure out of this Realm into the Parts beyond the Seas, of any Estate of Inheritance in Possession, Reversion, Remainder or in Use, and which now are in the Hands, Possession or Seisin of any Person or Persons whatsoever, by Means of any Gift, Grant, Lease, Conveyance or Assurance in Fee Simple, Fee Tail, for Term of Life, Lives or for Years, under the Great Seal of *England*, or under the Seal of the Court of Exchequer, made by our said Sovereign Lady the Queen, at any Time sithence the said Tender of the said Ring of Gold, shall be and remain to the same Person and Persons to whom her Highness hath made any such Gift, Grant, Lease, Conveyance or Assurance in Fee Simple, Fee Tail, for Life, Lives or for Years, and to the Heirs and Assigns of such Person or Persons of and for the Parcels contained in the said Gift, Grants, Lease, Conveyances or Assurances, according to the true Intent and Meaning thereof for the same Estates, and with and under the same Reservations, Covenants, Conditions and Limitations as are contained in the said Gifts, Grants, Leases, Conveyances and Assurances, any lack of Inquisition, Misrecital or Nonrecital of any former Lease or Leases, or any other Thing notwithstanding: And for the Remainder or Reversion of or upon the same Estate or Estates not granted away by our said Sovereign Lady the Queen as is aforesaid, if any such be, together with the Residue of the said Manors, Lands, Tenements and Hereditaments which the said Sir *Francis* had at any Time sithence his Departure over the Seas; the same shall be to our said Sovereign Lady the Queen, her Heirs and Successors for ever.

IV. Saving to the Queen's Majesty, her Heirs and Successors, all such Estate, Right, Title, Interest and Demand whatsoever,
of,

of, in and to the Premises and every Part thereof, as her Majesty had, or might or ought to have had before the said Treasons and Contempt by the said Sir *Francis Englefield* committed. And saving to all and every Person and Persons, and Bodies Politick and Corporate, their Heirs and Successors, and the Heirs and Successors of them and every of them, other than the said *Francis Englefield* the Nephew, and his Heirs, and other than such as claim by or under the said Assurance or Conveyance so pretended to be made by the said Sir *Francis Englefield* as aforesaid, all such Estate, Right, Title, Interest, Use, Possession, Reversion, Remainder, Entry, Condition, Fees, Offices, Rents, Annuities, Commons, Hereditaments, Profit or Commodity whatsoever, as they or any of them had of, in, to or out of any the Manors, Lands, Tenements, Rents and Hereditaments, or any Parcel thereof, at or before the said Treasons committed, in as large and ample Manner and Form to all Intents and Purposes, as they or any of them had before the making of this Act, any Thing herein contained to the contrary thereof in any wise notwithstanding.

V. Provided always and be it enacted by the Authority of this present Parliament, That this Act, nor any Thing therein contained, shall extend to avoid, prejudice or impeach any Estate, Right or Title of the said *Francis Englefield* the Nephew, or his Heirs or Assigns, which he or they, or any of them, have, or shall, or ought to have in Possession, Reversion, Remainder or Use, of, in, or to any the Manors, Lands, Tenements and Hereditaments aforesaid, or any Part thereof, by virtue of any Letters Patents, Grant, Conveyance or Assurance thereof had or made before the First Year of her Majesty's Reign: But that the said *Francis Englefield* the Nephew, and his Heirs and Assigns, and every of them, shall and may have and enjoy the same Estate, Right, Interest and Title of, in, and to the same Manors, Lands, Tenements and Hereditaments, and every Part thereof, as they should, might, or ought to have had, if this Statute had never been had or made, and not any better or other, or otherwise, any Thing in this Act before mentioned to the contrary notwithstanding.

VI. And provided also, and be it further enacted, That this Act or any Thing therein contained, shall not in any Sort extend to avoid, prejudice or impeach any Gift, Grant, Lease or Demise, for Term of Life, Lives or Years made by the Queen's Majesty under the Great Seal of *England*, or under the Seal of her Majesty's Court of Exchequer, at any Time since the said Sir *Francis Englefield* was first attainted of High Treason, and before the Tender of the said Ring, as is aforesaid, of any the said Manors, Lands, Tenements or Hereditaments that were the said Sir *Francis Englefield's*, but that all and every such Gift, Grant, Lease and Demise, shall be of the same Force and Effect to all Intents and Purposes, and of no better or other, as they were before the making of this Act, and as they should have been if this Act had never been made, any Thing in this Act to the contrary thereof in any wise notwithstanding.

VII. Provided furthermore, and be it likewise enacted, That this Act or any Thing therein contained, shall not in any wise extend to avoid, prejudice or impeach any Estate, Right, Title or Use which the said *Francis Englefield* the Nephew, his Heirs or Assigns, or any of them, shall or may have, challenge or claim,
 of,

of, in or to the Manors, Lands, Tenements or Hereditaments afore-
said, or any Part thereof, by virtue or colour of a certain Writing
indented, bearing Date the Fourth Day of *May*, in the First Year
of her Majesty's Reign, supposed to be made between the said Sir
Francis Englefield, Knight, on the one Party, and Sir *Edward*
Fyton, Knight deceased, and Sir *Ralph Egerton*, Knight, of the
other Party, the Substance and Effect whereof is inrolled of Re-
cord in her Highness Court of Exchequer, in the Term of *Saint*
Michael in the Thirtieth and Thirty first Year of her Majesty's
Reign, in the Records of the said Term, remaining in the Office
of the Queen's Remembrancer, *Rotulo* Three hundred and forty
eight, nor to avoid or impeach any Estate or Interest which *Mar-*
garet Englefield Widow hath, or pretendeth to have for Term of
her Life, by any Conveyance or Assurance made by the said Sir
Francis, the Substance and Effect whereof is also enrolled of
Record in the said Court of Exchequer, but that the same and
every of them, shall and may stand and be in the same Plight,
Quality and Condition, as if this Statute had never been had or
made, and not any better or other, or otherwise, any Thing in
this Act to the contrary notwithstanding.

C A P. VI.

EXP.

An Act for Restraint of new Buildings, converting of great
Houses into several Tenements, and for Restraint of
Inmates and Inclosures, in and near unto the Cities of
London and *Westminster*.

‘ **F**OR the Reforming of the great Mischiefs and Incon-
• veniencies, that daily grow and increase by reason of the
• pestering of Houses with divers Families, harbouring of Inmates,
• and converting of great Houses into several Tenements or
• Dwellings, and erecting of new Buildings within the Cities of
• *London* and *Westminster*, and other Places near thereunto adjoin-
• ing, whereby great Infection of Sicknes and Dearth of Victuals
• and Fuel hath grown and ensued, and many idle, vagrant and
• wicked Persons have harboured themselves there, and divers
• remote Places of the Realm have been disappointed of Work-
• men and dispeopled: The which Enormities and Defects, her
• Majesty of her Wisdom, princely Consideration and Care of her
• Subjects by her Highness Proclamation, dated at *Nonfuch*, the
• Seventh Day of *July* in the Twenty second Year of her Majesty's
• Reign, did intend to reform, until some good Order might be
• provided in Parliament:’

II. Be it enacted by the Authority of this present Parliament,
That no Person or Persons of what Estate, Degree or Condition
soever, shall from henceforth make and erect any new Building
or Buildings, House or Houses for Habitation or Dwelling within
either of the said Cities, or within Three Miles of any of the
Gates of the said City of *London*, except it be to enlarge his or
their House or Houses that so shall build the same, or to add some
other Buildings to his or their Houses, or in their Gardens for
the more Ease or Pleasure of the Builder, or that such new
House or Tenement shall be fit for the Habitation or Dwelling
of such a Person as heretofore hath been assessed to or for the
Subsidy to her Majesty at Five Pounds in Goods, or Three Pounds
in

in Lands, at the last Assessment next before the said new Buildings, or shall be judged by the Two next Justices of Peace, by Writing under their Hands and Seals to be presented at the next Quarter-Sessions, to be fit and able to be assessed in the Subsidy, according to that Rate if before that Time he hath not been so assessed, or except any such new Building shall be made for any Hospital for Relief of the Poor, upon Pain to forfeit for every such Offence quarterly the Sum of Five Pounds.

III. And further be it enacted, That no Person or Persons of what Estate, Degree or Condition soever, shall at any Time hereafter, convert or divide any Dwelling House or other Buildings now erected and builded, or hereafter to be erected and builded within the Cities and Places aforesaid, or any of them, into divers and several Habitations or Dwellings for several and divers Families, except every several House so divided, shall be fit for Habitation or Dwelling of such a Person as heretofore hath been assessed to or for the Subsidy to her Majesty at Five Pounds in Goods, or Three Pounds in Lands, at the Subsidy next before such Division, or by Two Justices of Peace next adjoining, by Writing under their Hands and Seals to be presented at the next Quarter-Sessions, shall be thought fit and able to be assessed in the Subsidy according to that Rate, upon Pain to forfeit for every such Offence, (if any other Person under that Value shall inhabit such House) the Sum of Five Pounds, for every Month to be paid by that Person that shall permit the House divided to be inhabited. And be it enacted also, That every Person being not of such Value which shall hereafter dwell or inhabit in any such House, so to be new builded, converted or divided as aforesaid, shall forfeit for every Month that he or she shall so dwell or inhabit in the same the Sum of Five Pounds.

IV. And be it further enacted by the Authority aforesaid, That no Person or Persons inhabiting and dwelling within the Cities and Places aforesaid, shall after Twenty Days next ensuing this Session of Parliament receive or take into his or their House or Houses any Inmate or Underfitter, or Inmates or Underfitters, upon Pain to forfeit for every Month that he, she or they shall have and keep, or willingly suffer in his, her or their House or Houses any such Inmate or Underfitter contrary to the true Meaning of this Act, the Sum of Five Pounds as is aforesaid.

V. Provided, that this Branch of this Act, or any Thing therein contained, shall not extend to any Person or Persons for taking or receiving into his, her or their House or Houses any Person or Persons which is or shall be assessed in the Subsidy, at Five Pounds in Goods, or Three Pounds in Lands or Fees, or shall be thought able and fit to pay such a Rate in Subsidy as is aforesaid.

VI. And whereas divers Commons, Waste Grounds, and great Fields near adjoining to the Cities aforesaid which have been heretofore used for training and mustering of Soldiers, and for Recreation, Comfort and Health of the People inhabiting in the said Cities and Places, and for the Use and Exercise of Archery, have of late Years been inclosed and converted into Severalties, and to other private Uses:

VII. Be it enacted by the Authority aforesaid, That it shall not be lawful to any Person or Persons to inclose or take in any Part

of the Commons or Waste Grounds, situate, lying or being within Three Miles of any of the Gates of the said City of *London*, nor to sever or divide by any Hedge, Ditch, Pale or otherwise, any of the said Fields lying within Three Miles of any of the Gates of the said City of *London* as aforesaid, to the Let or Hindrance of the training or mustering of Soldiers, or of walking for Recreation, Comfort and Health of her Majesty's People, or of the laudable exercise of Shooting, where there hath been usual exercise of Shooting, and Marks have been there set, upon Pain to forfeit for every Month that he or they, or any of them shall keep any Part of the said Commons or Waste Grounds inclosed or taken in, for every such Inclosure Five Pounds, and for every Month that he or they shall keep any Part of any of the same Fields severed or divided, for every such Offence Five Pounds.

VIII. The one Moiety of all which Pains, Penalties and Sums of Money to be forfeited by virtue of this Act, shall be to the Churchwardens of all and every Parish and Parishes where the several Offences shall be committed, to be employed by them, with Consent of the more Part of the Parishioners being Householdiers, to the Use of the Poor of the same Parish or Parishes, and the other Moiety to him or them that will sue for the same by Action of Debt, Bill, Plaint or Information in any of the Queen's Majesty's Courts of Record, in which Suit no Essoin, Protection, Writ of Privilege or Wager of Law shall be admitted or allowed.

IX. And for the better Relief of the Poor in several Parishes where any of the Offences aforesaid shall be committed, be it also enacted, That the Churchwardens of every several Parish (if they shall not be herein Offenders) where any of the Offences aforesaid shall be committed, and if they be Offenders, then the Curate of the Parish with Two other honest Men of the same Parish being Householdiers, shall have full Power and Authority by virtue of this Act, to enter into all and every House and Houses, and other Place and Places where any Offence shall be committed against the true Meaning of this Act, and there to distrain for the Moiety of all and every such Sum and Sums, as shall be forfeited by virtue of this Act, and the Distress and Distresses to detain until such Moiety of the Sum and Sums of Money so to be forfeited, shall be truly satisfied and paid according to the true Intent and Meaning hereof.

X. Provided always, That this Act, or any Thing therein contained, shall not extend to take away, prejudice or impeach any good Usages or Customs heretofore used in the Cities of *London* and *Westminster*, or either of them for the Reforming or Punishing any of the Offences aforesaid, nor to any Lord or Lords having Liberty to keep a Leet for punishing of any the Offences aforesaid mentioned, within the Jurisdiction of his Leet, as they might have done before this Statute.

XI. Provided also, that notwithstanding any Thing in this Act contained, it shall and may be lawful for every such Mariner, Sailor or Shipwright, as shall be allowed by the Lord Admiral and the Masters and Company of Trinity House for the Time being, in Writing under their Hands and Seals, to continue his Habitation in any House that hath been built since the said Proclamation near to the *Thames* Side, serving only for the Habitation of such Mariner, Sailor or Shipwright, and not to be used for any
 Victualling

Viſtualling Houſe, nor for any Store-houſe for any Merchandiſe, ſaving ſuch as ſhall appertain to the arming or apparelling of Ships: And likewiſe that any Mariner, Sailor or Shipwright may hereafter build any Houſe for ſuch Purpoſe, and for no other, on or near the *Thames* Side, ſo as it be diſtant from the very Wharf or Bank Thirty Foot, ſo as People may paſs betwixt the ſaid Houſes, and the ſaid Bank, and the *Thames*; and ſo as in the new Building thereof every Houſe hereafter to be builded, may be diſtant from any other Houſe above Twenty Foot, to avoid Caſualty of Fire, and ſo as alſo that there be no new landing Place or Stairs made to take up and lay to Land, or to lay from Land, in any Boat or Ship any Wares or Merchandiſes.

XII. And to avoid Doubts that may ariſe by Reaſon of this Act, be it further enacted and declared by the Authority aforeſaid, That Two Juſtices of Peace inhabiting next to any of the Houſes or Tenements aforeſaid, ſhall have full Power by virtue of this Act, to decide and determine, whether every particular Houſe or Tenement before mentioned be ſufficient and convenient for Habitation of a Man aſſeſſed or fit to be aſſeſſed to the Subſidy for her Maſteſty at Five Pounds in Goods, or Three Pounds in Lands. And whether the Inhabitant in any ſuch Houſe or Tenement be of Value or Subſtance to be aſſeſſed in the Subſidy, according to the Rates aforeſaid: And that a Mile ſhall be reckoned and taken in this Manner and no otherwiſe; that is to ſay, a Mile to contain Eight Furlongs, and every Furlong to contain Forty Lugges or Poles, and every Lug or Pole to contain Sixteen Foot and a Half.

XIII. Be it further enacted, That for avoiding of colourable continuing of Inmates againſt the Intention of this Act by Pretence of any Leaſes or States made to them, the ſaid Inmates pretending any Leaſes, ſhall at the next Leet or Court to be held in the Manor or Place where the Houſes inhabited by Inmates are ſituate, ſhall produce his or her Leaſe, and thereof make good Proof before the Steward of the Leet or Court, and the Jury, which if he ſhall not do, then the ſaid Inmate to be forthwith removed as above is mentioned. This Act to endure for Seven Years, and afterwards until the End of the Seſſion of Parliament then next enſuing.

C A P. VII.

An Act for the Reviving, Continuance, Explanation and Perfecting of divers Statutes.

“ 21 H. 8. c. 12. 24 H. 8. c. 9. 3 & 4 E. 6. cc. 19. 21. 1 Eliz.
 “ c. 17. 5 Eliz. cc. 2. 7. 5. 8 Eliz. c. 10. 13 Eliz. cc. 20, 21. 8.
 “ 14 Eliz. cc. 11. 5. 18 Eliz. cc. 3. 20. 23 Eliz. c. 6. 27 Eliz.
 “ cc. 11. 7. 27 Eliz. c. 17. Pr. 2 & 3 E. 6. c. 10. 27 Eliz.
 “ c. 24. 31 Eliz. cc. 8. 13. 31 Eliz. c. 5. Pr. Continued until
 “ the End of the next Parliament. § 1—19.

XX. Provided always, and be it alſo enacted by the Authority aforeſaid, That all and every ſuch Branch and Branches of the ſaid Statute (a) made for the Maintenance and Increaſe of

5 Eliz. c. 2. in part repealed.

(a) [5 Eliz. c. 2. wholly repealed, 21 Jac. 1. c. 28. § 11.]

Tillage, as concern the earing, ploughing, using and keeping in Tillage for ever, of such Lands or Grounds, or so much in Quantity, as before the making of that Statute had been eared or ploughed, and put in Tillage in any one Year, and so kept in Tillage by the Space of Four Years, at any Time sithence the Feast of *St. George* the Martyr in the Twentieth Year of King *Henry* the Eighth, and every Matter, Clause, Article, Provision, Penalty and Forfeiture in the said Statute concerning the same, shall so far forth only as they concern the same, from henceforth be repealed, cease and be utterly void; any Thing in the said Statute or in this present Act to the contrary notwithstanding.

5 Eliz. c. 5.
touching sowing
of Hemp and
Flax, repealed.

XXI. Provided also, and be it enacted by the Authority aforesaid, That so much of the said Statute made for the Maintenance of the Navy, as heretofore at any Time was repealed, and all and every such Branch and Branches of the said Statute as concern the sowing of Flax or Hemp, or the reviving of one Statute concerning sowing of Flax or Hemp, made and provided in the Parliament holden in the Four and twentieth Year of the Reign of King *Henry* the Eighth, and every Matter, Clause, Article, Provision, Penalty and Forfeiture in the said Statute concerning the same, shall, so far forth only as they concern the same, from henceforth be repealed, cease and be utterly void; any Thing in the said Statute or in this present Act to the contrary notwithstanding.

24 H. 8. c. 4.

A Diminution of
the Penalty of
5 Eliz. c. 5. § 16.

XXII. Provided also, and be it further enacted by the Authority aforesaid, That every Person eating any Flesh upon any Fish-days, contrary to the Form of the said Statute made for the Maintenance of the Navy, shall forfeit only Twenty Shillings, or else suffer only One Month's close Imprisonment without Bail or Mainprize; and every Person or Persons within whose House any such Offence shall be done, and being privy or knowing thereof, and not effectually publishing or disclosing the same to some publick Officer having Authority to punish the same, for every such Offence to forfeit only Thirteen Shillings and Four pence; any Thing in the said Statute contained to the contrary notwithstanding. [But note, 5 Eliz. c. 5. § 16. appears to be repealed, 27 Eliz. c. 11.]

"Transporting of Corn at certain Prices. § 23.
31 G. 3. c. 30.]

[Repealed]

Part of 14 Eliz.
c. 5. and 18 Eliz.
c. 3. repealed.

XXIV. Provided also, and be it enacted by the Authority aforesaid, That so much of the said Statute made in the Fourteenth Year of her Majesty's Reign, intituled, *An Act for the Punishment of Vagabonds, and for the Relief of the Poor impotent*, and of the said Statute made in the Eighteenth Year of her Majesty's Reign, intituled, *An Act for setting the Poor on Work, and for avoiding of Idleness*, as concerneth the Punishment of Vagabonds, by gaoling, boring through the Ear, and Death in the Second Degree, and every Matter, Clause, Article and Provision in the said Statute contained concerning the same, shall so far forth only as they concern the same, from henceforth be repealed, cease and be utterly void; any Thing in this Statute contained to the contrary notwithstanding.

Part of 22 H. 8.
c. 12. revived.

XXV. And be it further enacted by the Authority aforesaid, That so much of one Act made in the Two and twentieth Year of

of King Henry the Eighth, intituled, *An Act concerning how aged, poor and impotent Persons, compelled to live by Alms, shall be ordered, and how Vagabonds and mighty strong Beggars shall be punished* (a), as concerneth the Punishment of any such Beggar, impotent or vagabond Person, by Whipping, and all Branches, Articles and Clauses depending upon the same (other than the compelling of such Persons to be sworn), shall from henceforth stand and be revived, and remain in his full Force and Strength. (a) [*Repealed, 21 Jac. I. c. 28. § 11.*]

XXVI. Provided always, and be it enacted by the Authority 18 Eliz. c. 20
afore said, That the said Act made in the Eighteenth Year of her Majesty's Reign, for the repairing and amending of the Bridges and Highways near unto the City of *Oxon*, or any Thing therein contained, shall not charge with any Thing towards the amending of the said Bridges and Highways, any Person or Householder inhabiting within Five Miles of the University and City of *Oxon*, not having in Possession one Yard-land; and that every Person having one Yard-land or more in his Possession, lying within the said Five Miles, shall pay yearly the Sum of Four pence only for every Yard-land, before the Feast of *Pentecost*, unto the Vice Chancellor and Mayor for the Time being, or their Deputy or Deputies, towards the amending of the said Bridges and Highways, and no other Penalty, with like Remedy by Distress, for every Sum of Four pence which shall be due and not paid as Distress
afore said, as is contained in the said Statute for any Penalty therein limited.

“ Maintenance of House of Correction for Twenty Years, &c. § 27. EXP.

XXVIII. Provided always, and be it enacted by the Authority of this present Parliament, That all Ships, Barks, Vessels or Crayers, whereof any of her Majesty's Subjects shall be Owners or Part Owners, of the Burthen of Twenty Ton or upwards, loading or discharging within this Realm, and passing to and fro any foreign Country, that are of any Port, Haven or Creek in *Severn*, from the *Land's End* in *Cornwall* to *Bristol*, and from thence to *Gloucester*, and from *Milford Haven* to *Chester*, *Liverpool* and all the Ports and Creeks to them or either of them belonging in *St. George's Channel*, and from the said Places back again, shall, after the Eighth Day of *May*, which shall be in the Year of our Lord God One thousand five hundred ninety and six, be discharged of the Three pence of every Ton for the Reparation of *Dover Haven*; the said Statutes made for the repairing of *Dover Haven*, or either of them (b), or any Thing therein contained to the contrary notwithstanding: Except any of the said Ships, Barks, Vessels or Crayers, shall go for *Dover* or to the Eastward: And that as well the said Ships, Barks, Vessels and Crayers that shall go for *Dover* or to the Eastward, as also all the Ships, Barks, Vessels and Crayers which shall cross the narrow Seas, shall pay in Manner and Form as hereafter is expressed and no more; that is to say, if they go outward with any Manner of Loading, not a Quarter loaden, then to pay after the Rate of a Quarter

(b) [23 Eliz. c. 6. 31 Eliz. c. 13. which are expired. See 11 & 12 W. 3. c. 5.]

Loading, and so rateably upwards according to their Loading; but homeward to pay according to the full Rate of the Entry of their Loading of every Ship, Bark, Vessel or Crayer.

“ 27 Eliz. c. 19. Pr. continued for Ten Years, &c. § 29. EXP.

27 Eliz. c. 17.
made perpetual.

XXX. And be it further enacted by the Authority of this present Parliament, That one Act made in the Parliament holden at *Westminster* the Three and twentieth Day of *November* in the Seven and twentieth Year of her Highness Reign, intituled, *An Act touching the Breadth of white Woollen Cloaths made in the Counties of Wilts, Gloucester, Somerset and Oxon, &c.* (a) and all and every the Branches, Clauses and Provisions in the same contained, shall from henceforth be, remain and continue in Force and Effect for ever. (a) [*Repealed, 49 G. 3. c. 109. § 1.*]

“ The Queen’s Licence for transporting of Corn at less Custom than is before expressed. § 31. The Queen may restrain transporting of Corn by Proclamation. § 32. Corn not to be exported contrary to Proclamation. § 33. [*Sections 31, 32 and 33. repealed, 31 G. 3. c. 30.*]

C A P. VIII.

An Act for the avoiding of Deceit used in making and selling of twice laid Cordage, and for the better preserving of the Navy of this Realm.

[*Repealed, 25 G. 3. c. 56.*]

C A P. IX.

An Act touching the Breadth of Plunkets, Azures and Blues, and other coloured Cloths, made within the County of *Somerset*, and elsewhere of like making.

52 E. 6. c. 6.

“ WHEREAS in the Parliament holden at *Westminster* in the Fifth and Sixth Years of the Reign of our late Sovereign Lord King *Edward* the Sixth, one Statute was made, intituled, *An Act for the true making of Woollen Cloth*, whereby (among other Things) it was enacted, That all broad Plunkets, Azures, Blues and other coloured Cloth, which, after the Feast of *St. Michael* the Archangel then next coming, should be made within the Shires of *Wilts, Gloucester* or *Somerset*, or elsewhere of like making, should contain in Length, being through wet, betwixt Twenty five and Twenty eight Yards, Yard and Inch of the Rule, and should be Seven Quarters within the Lists at the least, and lifted according to the ancient Custom, and being well scoured, thicked, milled and fully dried, should weigh Sixty eight Pounds the Piece at the least, as by the said Act, among divers Clauses, Articles and Provisions contained in the same, more plainly is expressed: Sithence the making of which said Statute, although the Makers of the said coloured Clothes have endeavoured themselves, according to their best Skill and Industry, to perform and fulfil the said recited Statute in every of their Clothes, as much as in them did lie, as touching the Breadth of Clothes, and to that End and Purpose have allowed and do allow so much Yarn and Stuff to every such Cloth, as might sufficiently serve to make all the said coloured Clothes full

‘ full out in Length, Breadth and Weight, according to the said
 ‘ Statute made in the Fifth and Sixth Years of King *Edward* the
 ‘ Sixth; yet notwithstanding many Times, by Reason of the
 ‘ divers Natures in the Wools, and by the great Diversities in the
 ‘ spinning, carding and milling, many of the said coloured Clothes
 ‘ made within the said County of *Somerset*, and elsewhere of like
 ‘ making, do not contain full Seven Quarters in Breadth, accord-
 ‘ ing to the said Statute made in the Fifth and Sixth Years of
 ‘ King *Edward* the Sixth, and yet no Default touching the said
 ‘ Breadth can justly be imputed to the Maker thereof, for that
 ‘ the said Cloth makers (as Experience daily sheweth) cannot ob-
 ‘ serve the said former Statute in all the said Clothes, as touching
 ‘ the Breadth, although they endeavour themselves never so much
 ‘ thereunto; which Clothes not containing their full Assise in
 ‘ Breadth as is aforesaid, are many Times taken and seised by
 ‘ the Searchers of *London*, when they come to their Market at
 ‘ *Blackwell Hall*, to the great Loss and Damage of the said
 ‘ Cloth-makers, and to the great Hindrance of Cloth-making
 ‘ within the said County:’ In Consideration whereof, albeit it is
 not hereby intended to repeal or make void the said former recited
 Statute, otherwise than is hereafter expressed; yet nevertheless,
 Be it enacted, &c.

[*Repealed*, 49 G. 3. c. 109. § 1.]

C A P. X.

An Act for the Reformation of sundry Abuses in Cloths,
 called *Devonshire* Kersies or Dozens, according to a Pro-
 clamation of the xxxiiith † Year of the Reign of our
 Sovereign Lady the Queen’s Majesty that now is.

† *Sic.*

‘ **I**N their most humble and dutiful wise shewen and beseechen
 ‘ your Highness, your true and faithful Subjects, the Clothiers,
 ‘ Merchants and Chapmen of your County of *Devon*, and of the
 ‘ Counties adjoining, That where in the Month of *January* in
 ‘ the Four and thirtieth Year of your Majesty’s most happy
 ‘ Reign, as well at the humble Suit and Petition of sundry your
 ‘ said Subjects, as upon Certificate of divers Justices in your
 ‘ Highness said County of *Devon*, and upon Complaint of the
 ‘ States of *Holland*, it pleased your Highness, with the Advice
 ‘ of your most honourable Privy Council, by your Highness
 ‘ Proclamation, for the Reformation of the Insufficiencies grown
 ‘ in the Clothes called *Devonshire* Kersies or Dozens (a Com-
 ‘ modity heretofore in great Request, Price and Estimation, both
 ‘ amongst your natural Subjects, and in foreign Nations and
 ‘ Countries), but of late marvelously (and not without Occasion)
 ‘ discredited by the Inventions and new Devices of the Weavers,
 ‘ Tuckers and Artificers, to command that the Laws before that
 ‘ Time made, and standing in force not repealed, for and con-
 ‘ cerning the Premises, should be duly accomplished in all Things;
 ‘ and that every Officer should diligently perform his Office
 ‘ accordingly; and that the Weight of the said Kersies or Dozens,
 ‘ being raw, and wrought with clean Stuff, without any deceitful
 ‘ Addition, should weigh Fifteen Pounds, and contain in the
 ‘ Market at least between Fifteen and Sixteen Yards in Length,
 ‘ and that the same should be sewantly woven throughout of like
 ‘ sorted

‘sorted Yarn; forbidding all other Deceits in weaving, and all
 ‘diminishing and unreasonable drawing, stretching and other
 ‘Deceits in Tuckers; and that each Weaver should weave his
 ‘Shop-Mark in each Dozen, and a Purrel in each End thereof;
 ‘and that Officers should be appointed in Market Towns, to
 ‘view, weigh and try the same Kerfies, whether they were in
 ‘Length, Weight or Goodness, according to the Rate and Pro-
 ‘portion set forth in the same Proclamation: The same Pro-
 ‘clamation to endure till the First Day of this present Parlia-
 ‘ment, as by the same more at large may appear:’

II. Now, most gracious Sovereign, forasmuch as by the said Proclamation, great Order and better Making of the said Clothes for Weight and Length thereof hath ensued, and to the End that hereafter further Discovery and Restraint of all Abuses and Deceits contrary to the former Laws and Statutes of this Realm may be provided for, to the reviving of the Reputation of so good, profitable and necessary a Commodity, It may please your Majesty, with the Assent of the Lords Spiritual and Temporal, and the whole Commonalty, assembled in this present Parliament, and by the Authority of the same, That it may be enacted, &c.

[Continued, 3 Car. 1. c. 4. § 20. 22. 16 Car. 1. c. 4.; but repealed, 49 G. 3. c. 109. § 1.]

C A P. XI.

An Act for the bringing in Clap-board from the Parts of † beyond the Seas, and the restraining of transporting of Wine Casks, for the sparing and preserving of Timber within the Realm.

† *Sic.*

‘**W**HEREAS of late Years Timber is greatly decayed and
 ‘consumed within this Realm, the Want thereof is greatly
 ‘to be feared, and speedily to be provided for, and forasmuch
 ‘as there is great Occasion of spending and consuming thereof,
 ‘by selling of great Quantities of Timber, and converting the
 ‘same into Cloven-board for the making of Cask, which is usually
 ‘transported out of the Realm into the Parts beyond the Seas:
 ‘And forasmuch also as Wine Cask brought into this Realm is
 ‘very serviceable, as well for her Majesty’s Household and Navy,
 ‘in Time of her Highness Service, for victualling of her High-
 ‘ness Ships, and also for victualling of Merchant Ships, and
 ‘a great Cause of sparing Timber within this Realm:’

II. Be it therefore enacted by the Queen’s most excellent Majesty, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person and Persons which shall, after the Feast of the Nativity of *St. John Baptist* next ensuing, ship, carry or transport any Beer into the Parts beyond the Seas, to be sold or exchanged for other Merchandize, shall, if he be a Stranger then before the same transporting, if he be a Subject born, then, either before the same transporting or within Four Months after, bring or cause to be brought into this Realm, from the Parts beyond the Seas, for every Six Tuns of Beer, Two hundred of Clap-board fit for to make Cask of, to contain in Length Three Foot
 and

Clap-board to
 be imported for
 Beer exported.

and Two Inches at the least, or else the same Cask again, or so much other good and sweet Cask in Quantity, and the same to be entered at the Custom House without any colouring; or if the same transporting shall be into the Realm of *Ireland*, then to bring in, in Manner and Form as aforesaid, so much of the Shaffold-board in Quantity as the said Clap-board amounteth unto. Shaffold-board.

III. And also be it further enacted by the Authority aforesaid, That no Stranger born shall, after the last Day of *June* which shall be in the Year of our Lord One thousand five hundred ninety four, ship, carry or transport beyond the Seas any Pilchers or other Fish in Cask, unless the same Person have before such shipping brought or caused to be brought into this Realm, from the Parts beyond the Seas, for every Six Tuns of Pilchers or other Fish, according to the Rate and Manner aforesaid, of Clap-board fit for Cask, or else of Cask as aforesaid; upon Pain of Forfeiture of the said Beer, Pilchers and Cask, that shall be shipped or laden to be transported into the Parts beyond the Seas. Penalty.

IV. And be it further enacted by the Authority aforesaid, That it shall not be lawful for any Person or Persons, after the said Feast of *St. John* the Baptist next ensuing, to transport or carry any Wine Cask out of this Realm with any Beer or Beer-eager, nor any Wine Cask shaken, and sell the same Beer or Beer-eager or Cask except for the victualling of any Ship or portable Vessel, or of any of her Majesty's Garrisons and Forces in the Parts beyond the Seas, upon Pain of Forfeiture of the Sum of Forty Shillings for every Tun of Cask so carried or transported. In what Cases only Wine Casks may be exported.
Penalty.

V. Provided always, That this Act or any Thing therein contained shall not extend to the Transportation of any Herrings, whatsoever in Casks. This Act to continue to the End of the next Parliament. Proviso.
Continuance.

[Not repealed, 3 Jac. 1. c. 11. § 3.—Continued, 3 Car. 1. c. 4. § 20. 22. 16 Car. 1. c. 4.]

C A P. XII.

An Act for Confirmation of the Subsidies of the Clergy.
EXP.

C A P. XIII.

An Act for the Grant of Three entire Subsidies, and Six Fifteens and Tenths granted by the Temporality. EXP.

C A P. XIV.

An Act for the Queen's Majesty's most gracious Free and General Pardon.

[These last Three Acts are not on the Roll.]

Anno tricesimo nono Reginæ ELIZABETHÆ.
(A.D. 1597.)

STATUTES made in the Parliament begun and holden at Westminster the Four and twentieth Day of October, in the Nine and thirtieth Year of the Reign of our most gracious and excellent Sovereign Lady ELIZABETH, by the Grace of God, of England, France and Ireland, Queen, Defender of the Faith, &c. and there continued until and on the Ninth Day of February then next following; viz.

C A P. I.

EXP. An Act against the decaying of Towns and Houses of Husbandry.

‘ WHERE a good Part of the Strength of this Realm consisteth in the Number of good and able Subjects: And whereas the Decays of Towns and Habitations have been by the ancient Laws of this Realm esteemed an high Offence; and where of late Years more than in Times past there have sundry Towns, Parishes and Houses of Husbandry been destroyed and become desolate, by means whereof a great Number of poor People are become Wanderers, idle and loose, which is the Cause of infinite Inconveniencies;’ Be it therefore enacted by Authority of this present Parliament, That an Act made in the Fourth Year of King Henry the Seventh, intituled, *An Act against pulling down and Destruction of Houses and Towns*, and all other Acts heretofore made touching the Decays of Houses of Husbandry, for so much of every of them as do concern the Decay or Re-edifying of any Towns, Villages or Houses of Husbandry, or laying or continuing any Quantity of Land to the same, shall be from henceforth utterly repealed (a), saving only for all such Offences whereof and for the which there was at the first Day of this present Parliament any Action, Bill, Suit, Plaint or Information commenced or depending in her Majesty’s Court of Star Chamber, or any other her Majesty’s Courts at Westminster. (a) [4 & 5 H. 7. c. 19. wholly repealed, 21 Jac. 1. c. 28. § 11.]

repealed.

II. And be it further enacted by the Authority aforesaid, That every House that now hath or heretofore had Twenty Acres of Arable Land, Meadow and Pasture, or more thereunto belonging, and so occupied or letten to farm, by the Space of Three Years together, at any Time since the beginning of the Queen’s Majesty’s Reign that now is, and which is not or hath not been the Castle or Dwelling House of any Nobleman or Gentleman, nor the Chief Mansion House of any Manor, is and shall be adjudged a House of Husbandry for ever, and that all Acres spoken of in this Statute shall be adjudged Acres according to the Statute or Ordinance *de terris mensurandis*.

III. And be it also enacted by the Authority aforesaid, If any Person or Persons, Bodies Politick or Corporate, at any Time since the Beginning of her said Majesty's Reign, and before Seven Years now last past, have decayed or wasted, or willingly suffered to be decayed or wasted any such Houses of Husbandry, that in every such Case the Offender in that Behalf shall erect, build or repair upon some convenient Part of the Scites where the Decays were or been, or of the Lands to any such Houses heretofore belonging, the One Half in Number of such Houses so decayed or wasted, if the Offender now hath, or hereafter by the Expiration, Surrender, Forfeiture or other Determination of such Leases or Estates as are now in *Effē*, shall or may have in his or their own Use or Occupation, so much of the Lands which belonged to the same Houses or any of them as will suffice to lay thereof Forty Acres of Arable Land, Meadow and Pasture, to every of the same Houses so to be erected, builded or repaired; and shall then also put to every of the same Houses Forty Acres of the same Lands at the least, being Arable Land, Meadow and Pasture convenient and fit to be used and occupied with the same Houses; and if the Offender now hath not, nor hereafter by the Expiration, Surrender, Forfeiture or Determination of any such Leases or Estates as are now in *Effē*, shall not or may not have so much of the said Lands, then the Offender to erect, build or repair so many of the same Houses before by this Act intended, to be erected, builded or repaired as the same Offender can of the same Lands then in his or their own Use and Occupation, put thereunto Forty Acres of Arable Land, Meadow and Pasture; and in such Case also the same Offender shall put to every such House so erected, builded or repaired Forty Acres of the same Land at the least, being Arable Land, Meadow and Pasture, which shall be fit and convenient to be used and occupied with the same; and if any the same decayed Houses and Scites, and the Lands thereunto heretofore belonging, or any Part thereof, be in or do come to the Possession or Hands as aforesaid of any as Heir, Executor, Administrator or Successor to the Offender, or otherwise as Assignee, by the immediate and free Gift of the Offender as aforesaid, that in every such Case such Heir, Executor, Administrator, Successor or Assignee upon the Scites or some other convenient Part of the same Lands so grown or come unto him or them, and for and in respect of so much of the same Lands as is not before satisfied, by erecting, building or repairing of Houses of Husbandry, and supplying the same with Lands according to the true Intent of this Act in that Behalf, shall erect, build or repair such and so many Houses of Husbandry in such Manner and with like Addition of Lands thereunto as the Offender proportionably should have done in the like Case by the true Meaning of this Act; and if any of the same Wastings or Decayings have happened within Seven Years now last past, the Offenders in that Behalf having now, or which hereafter by the Expiration, Surrender, Forfeiture or other Determination of such Leases or Estates as are now in *Effē*, shall or may have in his or their own Use or Occupation, so much of the same Scite or Lands which belonged to the same House so decayed or wasted, or any of them as can supply every of the same Houses which had before belonging unto it under Forty Acres, with Twenty Acres of Arable

Arable Land, Meadow and Pasture; and every such of the same Houses which before had Forty Acres or above belonging to it, with Forty Acres of Arable Land, Meadow and Pasture, shall erect, build or repair upon some convenient Part of the Scites or Lands that belonged to the same Houses or any of them, the whole Number of the Houses so decayed or wasted; and for every such of the same Houses of Husbandry as heretofore had under Forty Acres of Arable Land, Meadow and Pasture, belonging to it, shall put to the Houses of Husbandry so to be erected, builded or repaired, of the Lands which such Offender hath or shall have as aforesaid, Twenty Acres at the least of Arable Land, Meadow and Pasture, fit and convenient to be used and occupied therewith; and for every such of the same Houses of Husbandry so wasted or decayed as aforesaid, as had belonging to it Forty Acres of Arable Land, Meadow and Pasture, or more, shall put to every of the same Houses so to be erected, builded or repaired of the same Lands which such Offender hath or shall have as aforesaid, Forty Acres at the least of Arable Land, Meadow and Pasture fit and convenient to be used and occupied therewith; and if the same Offender have not, or shall not have as aforesaid, so much of the Lands belonging to any of the same Houses as may therewith perform that which is aforesaid, then the same Offender shall erect, build or repair so many only of the same Houses of Husbandry as he can, with the same Lands in the Use and Occupation as aforesaid of such Offender, supply the same Houses with such Quantity of Arable Land, Meadow and Pasture, as before in this Article is mentioned to be put to the same, and shall put to every of the same Houses of the same Arable Land, Meadow and Pasture, accordingly; and if the same decayed or wasted Scites or Houses and Lands thereunto heretofore belonging, or any Part thereof, be in or do come to the Possession or Occupation as aforesaid, of any as Heir, Executor, Administrator or Successor to the said Offender last before mentioned, or otherwise as Assignee, by the immediate and free Gift of the same Offender, that in every such Case such Heir, Executor, Administrator, Successor or Assignee, upon some convenient Part of the same Scite or Lands so grown or come to him or them; and for and in respect of so much of the same Scite and Lands as is not before satisfied by erecting, building or repairing of Houses of Husbandry, and supplying the same with Lands according to the true Intent of this Act in that Behalf, shall erect, build or repair such and so many Houses of Husbandry, and with like Addition of Lands thereunto, as the Offender proportionably should have done in like Case by the true Meaning of this Act; and that all such as have or shall have any the Houses of Husbandry decayed or wasted as is aforesaid, at any Time since the Beginning of her said Majesty's Reign, or the Lands thereunto belonging, or any Part thereof, by, from or under the Offender, for Money or other Consideration, or otherwise by any other Title than under the Offender; that in every such Case, such so having such Scites or Houses so decayed or wasted as aforesaid, and the Lands which did thereunto belong, or any Part thereof, and not before that erected, builded or repaired with Houses of Husbandry, and supplied with Lands according to the true Meaning of this Act, shall, for and in respect of the same

Lands which he or they so have, proportionably erect, re-edify and repair only the Fourth Part in Number of the like Houses of Husbandry, and with such and the like Quantity of the same Lands to be added to every of the same Houses of Husbandry as is before mentioned for the Offender to do and perform in like Cases of Decays made within Seven Years now last past.

IV. And be it also enacted, That every Person, Body Politick and Corporate, that is to make any Erection, building or repairing of Houses as is aforesaid, shall perform Two of the same Erections, Buildings or Repairings before the Feast of *Pentecost*, in the Year of our Lord God One thousand five hundred ninety nine, if so many be to be done by such Party, if not, then One where but One is to be done; and who is to perform more than Two shall thenceforth yearly perform Two other of the same, until all such Erections, Re-edifyings and Repairings be fully performed, which that Party is to do and perform by the true Intent of this Act; and as the same Houses shall from Time to Time be erected, builded or repaired, the Lands as is aforesaid shall be put thereunto, and for such Houses as are now standing, the Lands in manner as is aforesaid shall be put thereunto before the said Feast of *Pentecost* in the Year aforesaid.

V. And be it further enacted, That all Houses of Husbandry which are to be erected, builded or repaired by the true Intent of this Act, and all other Houses of Husbandry now standing, shall, from Time to Time for ever, by the Occupiers and Possessors thereof, be upholden and maintained in good and convenient Reparations, inhabitable and tenantable, and as Houses of Husbandry in those Parts; and that the Lands thereto to be put, or now belonging as aforesaid, or as much in Goodness, Quantity and Quality shall be demised with the House by the Lessor thereof, whensoever the same House shall be demised without any willing Default of the Lessor in that Behalf, and that the same Lands shall be used and continued in Tillage and Husbandry according to the Statute in that Behalf; and where any, in Reason or good Conscience, ought to have Contribution from any other towards the Charges of any Erections, Buildings or Repairings aforesaid; in every such Case upon a Bill to be exhibited into the High Court of Chancery by such Party against any Decayer or other that ought to be contributory to the same as aforesaid, such Contribution shall be given, and in such Sort levied and paid as by Order of that Court shall in that Behalf be set down or taken.

VI. Provided always nevertheless, and be it enacted, If any House of Husbandry now standing, hath or shall have belonging to it, or letten therewith, above the Number of Threecore Acres of Arable Land, Meadow or Pasture in the Whole, the Overplus thereof may from Time to Time be added to supply or make up any other House to be a House of Husbandry of or under Forty Acres; and that for the more better and commodious occupying or Husbandry of any the Lands, Meadows or Pastures which shall be allotted or belonging to any House of Husbandry as is aforesaid, it shall be lawful for any Lord to make exchange with any his Tenants, or any Tenant or other Person with the Assent of the Lord to change the one with the other without incurring any

the Penalties of this Statute; any Thing in this Act to the contrary notwithstanding.

VII. Provided also, That if any Person hath erected, or hereafter shall erect, any new like House of Husbandry where no House of Husbandry was at any Time since the Beginning of her Majesty's Reign, with like Lands allotted or to be allotted thereunto as aforesaid, and as convenient, in Lieu or Place of any House of Husbandry heretofore decayed, or hereafter to be decayed, and within Two Miles thereof; that in every such Case such House so decayed or to be decayed, is not nor shall not be repaired, re-edified, or continued by the true Intent of this Act, so always that the same House newly erected or to be erected, be continued a like House of Husbandry as aforesaid for ever; and if any Person or Persons which hath built any Mansion House fit for the Dwelling of a Gentleman or any Person of higher Degree, hath taken into his Hands any Lands not exceeding the Quantity of Six Score Acres, or Houses not exceeding the Number of Two Houses, convenient and needful to be employed for maintaining of necessary Hospitality and Housekeeping in that House, such Person for such taking into his Hands or decaying of such Lands or Houses, shall not be deemed or taken for any Offender by this Statute.

VIII. Provided also, That this Act or any Thing therein contained, shall not extend to any Park or inclosed Ground for Deer, or any Lands or Houses therein, the same being at this present chiefly stored with or employed to Deer.

IX. Provided also, That this Act or any Thing therein contained, shall not be prejudicial to any, being out of the Realm, or Infant, or of *non sana memoria*, which before by this Act ought to re-edify, erect or repair any House or Houses of Husbandry, so that every such Person shall yearly next after his Return, full Age or being of *sana memoria*, perform therein the Intent of this Act.

X. And be it enacted by the Authority aforesaid, That every Person and Persons, Bodies Politick and Corporate, which shall offend in any the Premises, shall for every House that shall not be erected, builded, repaired, continued or maintained in necessary Reparation, tenantable according to the true Meaning of this Act, by the Space of One Year, forfeit Ten Pounds, and so yearly Ten Pounds until the same shall be sufficiently erected, builded, continued or repaired; and for every Acre of Land, Meadow or Pasture, which shall not be layed unto or let with such Houses of Husbandry when the same shall be demised as aforesaid, shall forfeit for every Year he or they shall so offend, the Sum of Ten Shillings, as long and as often as such Acre shall not in those Respects be used and ordered according to the Intent of this Act; which Forfeitures shall be divided into Three equal Parts, whereof One Third Part to be to the Queen's Majesty, her Heirs and Successors; one other Part to be to the Use of the Poor within the Parish where the Offence shall be committed, to be delivered by the Order of the Court in which the same shall be recovered, to the Churchwardens of the same Parish without any Charge or other Warrant; and the other Third Part to such as will sue for the same in any Court of Record at *Westminster*, by Action, Bill, Plaintiff.

Plaint or Information, if any such will sue, if not, to the Queen's Majesty, her Heirs and Successors, in which Suit no Effoith, Protection or Wager of Law shall be allowed.

XI. And be it further enacted, &c. That the Justices of Assises to be holden within every County of this Realm, shall have full Power and Authority to inquire of, hear and determine all and every the said Defaults and Offences to be committed or done within the Counties where any such Assises shall be kept upon Inquisition, Indictment, Bill or Information to be exhibited before them.

XII. Provided also, That no Offender shall be impeached or sued by virtue of this Act, except such Suit shall be brought and commenced within Two Years of the same Offence committed or done, being prosecuted by any for himself and her Majesty, her Heirs or Successors; but in case where the said Suit shall be brought or prosecuted for her Majesty, her Heirs or Successors only, then such Suit to be brought and commenced within Three Years of the same Offence done and committed. This Act to endure but to the End of the next Session of Parliament.

C A P. II.

An Act for Maintenance of Husbandry and Tillage.

WHEREAS the Strength and flourishing Estate of this Kingdom hath been always and is greatly upheld and advanced by the Maintenance of the Plough and Tillage, being the Occasion of the Increase and multiplying of People, both for Service in the Wars and in Times of Peace, being also a principal Mean that People are set on work, and thereby withdrawn from Idleness, Drunkenness, unlawful Games and all other lewd Practices and Conditions of Life: And whereas by the same Means of Tillage and Husbandry the greater Parts of the Subjects are preserved from extreme Poverty in a competent Estate of Maintenance and Means to live, and the Wealth of the Realm is kept, dispersed and distributed in many Hands, where it is more ready to answer all necessary Charges for the Service of the Realm: And whereas also the said Husbandry and Tillage is a Cause that the Realm that doth more stand upon itself, and without depending upon foreign Countries, either for bringing in of Corn in Time of Scarcity, or for Vent and Utterance of our own Commodities being in over great Abundance: And whereas from the Twenty seventh Year of King Henry the Eighth, of famous Memory, until the Thirty fifth Year of her Majesty's most happy Reign, there was always in Force some Law which did ordain a Conversion and Continuance of a certain Quantity and Proportion of Land in Tillage not to be altered; and that in the last Parliament held in the said Thirty fifth Year of her Majesty's Reign, partly by reason of the great Plenty and Cheapness of Grain at that Time within this Realm, and partly by reason of the Imperfection and Obsecurity of the Law made in that Case, the same was discontinued, since which Time there have grown many more Depopulations by turning Tillage into Pasture, then at any Time for the like Number of Years heretofore:

II. Be it enacted by the Queen our Sovereign Lady, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whereas any Lands or Grounds at any Times since the Seventeenth of *November*, in the First Year of her Majesty's Reign, have been converted to Sheep Pastures or to the fattening or grazing of Cattle, the same Lands having been tillable Lands, Fields or Grounds, such as have been used in Tillage or for Tillage by the Space of Twelve Years together at the least next before such Conversion, according to the Nature of the Soil and Course of Husbandry used in that Part of the Country, all such Lands and Grounds as aforesaid shall, before the First Day of *May* which shall be in the Year of our Lord God One thousand five hundred and ninety nine, be restored to Tillage or laid for Tillage in such Sort as the whole Ground, according to the Nature of that Soil and Course of Husbandry used in that Part of the Country, be within Three Years at the least turned to Tillage by the Occupiers and Possessors thereof, and so shall be continued for ever.

III. And be it further enacted by the Authority aforesaid, That all Lands and Grounds which now are used in Tillage or for Tillage, having been tillable Lands, Fields or Grounds, such as next before the First Day of this present Parliament, have been by the Space of Twelve Years together at the least used in Tillage or for Tillage, according to the Nature of the Soil and Course of Husbandry used in that Part of the Country, shall not be converted to any Sheep Pasture, or to the grazing or fattening of Cattle by the Occupiers or Possessors thereof, but shall, according to the Nature of that Soil and Course of Husbandry used in that Part of the Country, continue to be used in Tillage or for Tillage for Corn or Grain and not for Wood.

IV. Provided nevertheless, That if any Person or Body Politick or Corporate, hath since the Seventeenth of *November* aforesaid, laid or hereafter shall lay any Ground to graze, or hath used or shall use the same Ground with Sheep or any other Cattle, which Ground hath been or shall be driven or worn out with Tillage only upon good Husbandry, and with Intent *bona fide*, without Fraud or Covin, the same Ground should recover Heart and Strength, and not with Intent to continue the same otherwise in Sheep Pasture, or for fattening or grazing of Cattle, that no such Person or Body Politick or Corporate shall be intended, for that Ground, a Converter within the Meaning of this Law.

V. Provided also, That if any such Occupier or Possessor of Ground as aforesaid, hath broke up converted or laid forth, or shall break up convert or lay forth into Tillage any other Ground not liable to this present Law as aforesaid, and lying within the same Parish, Town, Hamlet or Lordship, or within Two Miles of the same Land formerly tilled, that for such Quantity only and for so long Time as he hath so done or continued, or shall so do or continue, he shall not incur any Penalty contained in this Act, but that it shall be lawful for any such Occupier or Possessor, at his Liberty and Pleasure, and according to his best Commodity and Husbandry, to change and alter from Time to Time such Ground put or to be put in Tillage, so that every such Occupier do keep the Sum or Total of the Quantity or Proportion of his Grounds lying within the same Parish, Town, Hamlet

or Lordship, or within Two Mile of the same Land formerly tilled in Tillage as aforesaid.

VI. Provided also, That this Act shall not extend to any Ground that any Person, Body Politick or Corporate hath turned or shall turn from Tillage to Pasture for the only Maintenance or keeping of his or their own Horses, Geldings, Mares or draught Oxen, or the Horses, Geldings or Mares of his or their own Family, or others coming to his or their House, or for the Maintenance or keeping of Kine, Sheep or other Cattle for the only Victuals to be spent in his or their Houses, or for the needful and necessary Soiling of his or their tillable Lands.

VII. Provided nevertheless, That no Persons that shall commonly feed and sell yearly, Beeves and Muttons to a greater Number than he or they shall yearly spend in Victual in his or their Mansion House or Houses, and more than shall grow or be needful to be culled out, or in respect of the necessary Stocks for Maintenance of Housekeeping, and soiling the tillable Lands as aforesaid, or that shall be a common Fatter of Beeves or Muttons, or any of them as a common Grazer or Sheep Master, to be commonly sold in Markets and Fairs, or to the common Butchers other than in respect of the necessary Stocks aforesaid, shall be taken, expounded or understood to be such Person or Persons, Bodies Politick or Corporate, as by this Proviso last above mentioned may keep any Ground or Pasture whole and not converted into Tillage for the Maintenance and keeping Kine, Sheep or other Cattle for the only Victual to be spent in their own Houses, or for the needful soiling of their tillable Lands, but been and shall be excepted out of the same Proviso; any Thing in the same Proviso contained to the contrary notwithstanding. And whereas it is mentioned that this Act or any Thing therein contained, shall not extend to be prejudicial to any Person or Persons, Bodies Politick or Corporate, for the keeping of any Ground in Pasture for the only Maintenance and keeping of his or their Horses, Mares, Geldings or draught Oxen, or for the Maintenance and keeping of Kine and other Cattle for the only Provision and victualling of his or their Mansion or Dwelling House or Houses, Be it declared and enacted by the Authority aforesaid, That if it shall fortune any such Person or Persons to be absent, and not resident at or upon his or their usual Mansion or Dwelling House or Houses with his Family or Household, for and by Occasion of Service or Attendance to be done by any such Person or Persons, by the express Commandment of the Queen's Majesty, her Heirs or Successors within the Realm or without, or else having Two or Three Mansion or Dwelling Houses, shall be resident and dwelling with his Family but at One of them, or shall be within Age, that then during and for the Time of such Service, Attendance, Minority and Absence, and One Year next after or during, and for the Time that he or they shall be resident or dwelling with his Family but at or upon one of his Dwelling Houses, he or they shall and may keep such Grounds in Pasture belonging or usually occupied with any of the said Two or Three Houses, and with no more or others in his or their own Hands or Occupation; or let it out to any other Person or Persons without incurring of any Danger or Forfeiture by virtue of this Act, so that the same Person or Persons shall and do

keep the same Mansion and Dwelling House or Houses unletten in good sufficient Reparations, and meet and convenient for him or them to repair and resort unto at all Times for his and their Dwelling and Abode; any Thing in this Act to the contrary thereof notwithstanding.

VIII. And be it enacted by the Authority aforesaid, That if any Person or Body Politick or Corporate, shall offend against the Premises, every such Person or Body Politick or Corporate so offending shall lose and forfeit for every Acre not restored or not continued as is aforesaid, the Sum of Twenty Shillings for every Year that he or they so offend; and that the said Penalties or Forfeitures shall be divided in Three equal Parts, whereof One Third Part to be to the Queen's Majesty, her Heirs and Successors, to her and their own Use; one other Third Part to the Queen's Majesty, her Heirs and Successors, for Relief of the Poor of the Parish where the Offence shall be committed, if any such be, to be delivered by Warrant of the principal Officers in the Receipt of the Exchequer, without further Warrant from her Majesty, her Heirs and Successors; and the other Third Part to such Person as will sue for the same in any Court of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, in which Suit no Essoin, Protection or Wager of Law shall be allowed.

IX. And be it further enacted by the Authority aforesaid, That the Justices of Assise or Justices of the Peace in every County within this Realm at the Assises or Quarter or General Sessions, shall have full Power and Authority by virtue of this Act, to enquire, hear and determine all and every the Defaults and Offences committed or done contrary to this Act, within the County where any such Assises or Sessions shall be kept, by Inquisition, Presentment, Indictment, Bill or Information, or by any of the same Ways or Means, and upon the Conviction of the Offender by Information or Suit of any other than her Majesty, her Heirs or Successors, to make Extracts of One Third Part of the Forfeitures to be levied for the Queen's Majesty, her Heirs and Successors, as they use to do of other Fines, Issues and Amerciaments grown in the Sessions of Peace, and to award Execution of the Two other Third Parts; the one for the Complainant or Informer, and the other to the Poor by the Discretion of the Justices of Peace at the General Sessions against the Offender by *Fieri facias* and *Capias*, as her Majesty's Justices at *Westminster* may do and use to do; and if any such Conviction shall hereafter happen to be at her Majesty's Suit only, that then the Forfeitures to be extracted and levied for her Majesty, her Heirs and Successors, to the Uses aforesaid; and it is also further enacted, That if any Person shall hereafter be punished by virtue of this Act, for any Thing mentioned in this Act, that then the same Person shall not otherwise be vexed, troubled, sued or put to any Pain or Punishment for the Thing wherefore he or they shall have been so punished.

X. Provided also, That no Offenders shall be impeached or sued by virtue of this Act, except such Suit shall be brought and commenced within Two Years of the same Offence committed or done, in case where the said Suit shall be brought and prosecuted in Name of any Informer; and in case the same Suit shall be brought and prosecuted in her Majesty's Name, or in the Name of her

her Heirs or Successors, then such Suit to be brought and commenced within Three Years of the Offence done and committed.

XI. Provided also, No Land compellable to be put in Tillage by virtue of this Act shall be deemed or adjudged a Breach of Forfeiture of any Covenant, Bond or Condition between any Persons whatsoever; neither that any Person that shall be compelled to put and convert any Lands into Tillage by virtue of this Act, shall therefore incur any Penalty or Prejudice collateral, or other, whether it be of Augmentation of Rent, giving of any Recompence or Consideration, or the like, but shall be in Law discharged of every such Limitation, Covenant, Condition or Agreement.

XII. Provided nevertheless, That this Act shall not extend to any Pasture, Heath, Downs, waste or barren Ground, which hath not heretofore been commonly used to be eared or tilled for Corn, and which is not meet and strong enough to be continued still in Tillage according to the Nature of the Soil and Custom of the Country; nor to any Commons, Fens, Moors, Mosses, nor to any Marshes being usually overflowed with Water at any Time of the Year; nor to any Marshes or Grounds recovered and inned, and which are or shall be so kept and continued by charge of Banks; nor to any Park or Parks, Warren or Warrens, nor to any inclosed Grounds now used with Deer or Conies, or which hereafter by Licence from her Majesty, her Heirs or Successors, with sufficient Clause of Dispensation mentioning this Act, shall be principally bestowed and employed to the Maintenance of Deer and Conies without Fraud or Covin; nor to any Meadows, nor to any Wood Grounds, nor to any Orchard, Garden, Pool or Pondyard, nor to any Grounds set or sown with Saffron, Hops, Garlick, Onions or other such Garden Roots meet for Victual; nor to any Plot or Soil whereupon any House or Tenement habitable is erected, and the Curtilages, Yards and Backsides thereof; nor to any Ground occupied or let with any Tenement being under the Quantity of Twenty Acres, as long as such Tenements shall be continued not decayed; nor to any Grounds wherein any Ore, Lead, Tin, Iron, Coal, commonly called Sea Coal, Stone Coal or Moor Coal is commonly got, all which to be intended during such Time only as all and every the Grounds aforesaid shall be used or put to the Uses and Intents above specified; any Thing in this Act to the contrary notwithstanding.

XIII. Provided always, That this last Proviso shall not give any Benefit, Advantage or Liberty to any Person or Persons which hath converted or employed, or hereafter shall convert or employ any more Ground to the keeping of Conies not being lawful Warren, than Ten Acres at the most, and the same to be within One Mile of his Dwelling House.

XIV. Provided also, That this Act shall not extend to any Counties within this Realm of *England*, but such only as shall be hereafter specified; that is to say, the Counties of *Northampton, Leicester, Warwick, Buckingham, Bedford, Oxford, Berksbire, the Isle of Wight, Gloucester, Worcester, Nottingham, Hampsbire, Wiltbire, Somerset, Dorset, Derby, Rutland, Lincoln, Hereford, Cambridge, Huntingdon, York, Pembroke in South Wales*, and the Bishoprick of *Durham and Northumberland*, and the Counties of all Cities and Corporations lying, situate and being within the Counties aforesaid

said or confining to the same, and the Aynste of the County of the City of *York*.

XV. Provided always, That neither this Act nor any Thing therein contained, shall extend to any Ground now converted from Tillage to Meadow or Pasture lying within Two Miles of the great Road-way, called *Watling Street*, leading from the Town of *Dunstable* in the County of *Bedford*, towards *Westehester*, so that the same Ground be not above Five Miles from the Parish Church of *Dunstable*, nor within Two Miles thereof. This Act to endure to the End of the next Session of Parliament.

[Continued 43 Eliz. c. 9. § 22. and *ſic* 32. but now expired.]

C A P. III.

An Act for Relief of the Poor. EXP.

[See 43 Eliz. c. 2.]

C A P. IV.

An Act for Punishment of Rogues, Vagabonds, and sturdy Beggars.

FOR the suppressing of Rogues, Vagabonds and sturdy Beggars, Be it enacted by the Authority of this present Parliament, That from and after the Feast of *Easter* next coming, all Statutes heretofore made for the Punishment of Rogues, Vagabonds or sturdy Beggars, or for the Erection or Maintenance of Houses of Correction, or touching the same, shall, for so much as concerneth the same, be utterly repealed; and that from and after the said Feast of *Easter*, from Time to Time, it shall and may be lawful to and for the Justices of Peace of any County or City in this Realm or the Dominions of *Wales*, assembled at any Quarter-Sessions of the Peace within the same County, City, Borough or Town Corporate, or the more Part of them, to set down, order to erect, and to cause to be erected One or more Houses of Correction within their several Counties or Cities; for the doing and performing whereof, and for the providing of Stocks of Money and all other Things necessary for the same, and for raising and governing of the same, and for Correction and Punishment of Offenders thither to be committed; such Orders as the said Justices or the more Part of them shall from Time to Time take, reform or set down in any their said Quarter-Sessions in that Behalf shall be of force, and be duly performed and put in Execution.

II. And be it also further enacted by the Authority aforesaid, That all Persons calling themselves Scholars going about begging; all Seafaring Men pretending Losses of their Ships or Goods on the Sea, going about the Country begging; all idle Persons going about in any Country either begging or using any subtle Craft, or unlawful Games and Plays, or feigning themselves to have Knowledge in Physiognomy, Palmistry or other like crafty Science, or pretending that they can tell Destinies, Fortunes or such other like fantastical Imaginations; all Persons that be or utter themselves to be Proctors, Procurers, Patent Gatherers or Collectors for Gaols, Prisons or Hospitals; all Fencers, Berewards, common Players of Interludes and Minstrels wandering abroad (other than

Players

Players of Interludes belonging to any Baron of this Realm, or any other honourable Personage of greater Degree, to be authorized to play under the Hand and Seal of Arms of such Baron or Personage) all Juglers, Tinkers, Pedlars and petty Chapmen wandering abroad; all wandering Persons and common Labourers, being Persons able in Body, using loitering and refusing to work for such reasonable Wages as is taxed or commonly given in such Parts where such Persons do or shall happen to dwell or abide, not having Living otherwise to maintain themselves; all Persons delivered out of Gaols that beg for their Fees, or otherwise do travel begging; all such Persons as shall wander Abroad begging, pretending Losses by Fire or otherwise; and all such Persons not being Felons, wandering and pretending themselves to be *Egyptians*, or wandering in the Habit, Form or Attire of counterfeiting *Egyptians*, shall be taken, adjudged and deemed Rogues, Vagabonds and sturdy Beggars, and shall sustain such Pain and Punishments as by this Act is in that Behalf appointed.

III. And be it enacted by the Authority aforesaid, That every Person which is by this present Act declared to be a Rogue, Vagabond or sturdy Beggar, which shall be at any Time after the said Feast of *Easter* next coming, taken begging, vagrant, wandering or misordering themselves in any Part of this Realm, or the Dominion of *Wales*, shall, upon their Apprehension by the Appointment of any Justice of the Peace, Constable, Headborough or Tythingman of the same County, Hundred, Parish or Tything where such Person shall be taken, the Tythingman or Headborough being assisted therein with the Advice of the Minister and One other of that Parish, be stripped naked from the Middle upwards, and shall be openly whipped until his or her Body be Bloody; and shall be forthwith sent from Parish to Parish by the Officers of every the same, the next straight Way to the Parish where he was born, if the same may be known by the Parties Confession or otherwise, and if the same be not known then to the Parish where he or she last dwelt before the same Punishment, by the Space of One whole Year, there to put him or herself to labour as a true Subject ought to do; or not being known where he or she was Born or last dwelt then to the Parish through which he or she last passed without Punishment; after which Whipping the same Person shall have a Testimonial subscribed with the Hand, and sealed with the Seal of the same Justice of the Peace, Constable, Headborough or Tythingman, and of the Minister of the same Parish, or any Two of them, testifying that the same Person hath been punished according to this Act, and mentioning the Day and Place of his or her Punishment, and the Place wherunto such Person is limited to go, and by what Time the said Person is limited to pass thither at his Peril; and if the said Person through his or her Default do not accomplish the Order appointed by the said Testimonial, then to be forthwith taken and whipped; and so as often as any Default shall be found in him or her contrary to the Form of this Statute, in every Place to be whipped till such Person be repaired to the Place limited; the Substance of which Testimonial shall be registered by the Minister of that Parish, in a Book to be provided for that Purpose, upon Pain to forfeit Five Shillings for every Default thereof; and the Party so whipped and not known where he or she

he was born or last dwelt by the Space of a Year, shall by the Officers of the said Village where he or she so last past through without Punishment, be conveyed to the House of Correction of the Limit wherein the said Village standeth, or to the Common Gaol of that County or Place, there to remain and be employed in work until he or she shall be placed in some Service, and so to continue by the Space of One Year, or not being able of Body until he or she shall be placed, to remain in some Almshouse in the same County or Place.

IV. Provided always, and be it enacted, If any of the said Rogues shall appear to be dangerous to the inferior Sort of People where they shall be taken, or otherwise be such as will not be reformed of their roguish Kind of Life by the former Provisions of this Act, that in every such Case it shall and may be lawful to the said Justices of the Limit where any such Rogue shall be taken, or any Two of them, whereof One to be of the *Quorum*, to commit that Rogue to the House of Correction, or otherwise to the Gaol of the County, there to remain until their next Quarter-Sessions to be holden in that County, and then such of the same Rogues so committed as by the Justices of the Peace then and there present, or the most Part of them, shall be thought fit not to be delivered, shall and may lawfully by the same Justices or the most Part of them, be banished out of this Realm, and all other the Dominions thereof, and at the Charges of that Country shall be conveyed unto such Parts beyond the Seas as shall be at any Time hereafter for that Purpose assigned by the Privy Council unto her Majesty, her Heirs or Successors, or by any Six or more of them, whereof the Lord Chancellor or Lord Keeper of the Great Seal, or the Lord Treasurer for the Time being to be one; or otherwise be judged perpetually to the Gallies of this Realm, as by the same Justices or the most Part of them it shall be thought fit and expedient; and if any such Rogue so banished as aforesaid shall return again into any Part of this Realm or Dominion of *Wales*, without lawful Licence or Warrant so to do, that in every such Case such Offence shall be Felony, and the Party offending therein suffer Death as in case of Felony, the said Felony to be heard and determined in that County of this Realm or *Wales*, in which the Offender shall be apprehended.

V. And be it also enacted by the Authority aforesaid, That if in any Town, Parish or Village, the Constable, Headborough or Tythingman be negligent and do not his or their best Endeavours for the Apprehension of such Vagabond, Rogue or sturdy Beggar which there shall be found contrary to the Form of this present Act, and to cause every of them to be punished and conveyed according to the true Meaning of this present Act, that then the said Constable, Headborough or Tythingman in whom such Default shall be, shall lose and forfeit for every such Default Ten Shillings; and also if any Person or Persons do in any wise disturb or let the Execution of this Law or any Part thereof, concerning the Punishment or conveying of Rogues, Vagabonds, sturdy Beggars, or the Relief or settling of poor impotent Persons in any manner of wise, or make rescue against any Officer or Person authorized by this present Act for the due Execution of any the Premises, the same Person so offending shall forfeit and lose for every

every such Offence the Sum of Five Pounds, and shall be bound to the good Behaviour.

VI. And be it also further enacted by the Authority aforesaid, That no Person or Persons having charge in any Voyage, in passing from the Realms of *Ireland* or *Scotland*, or from the *Isle of Man* into this Realm of *England*; do wittingly or willingly bring or convey, or suffer to be brought or conveyed in any Vessel or Boat from and out of the said Realm of *Ireland*, *Scotland* or *Isle of Man*, into the Realm of *England* or *Wales*, or any Part thereof, any Vagabond, Rogue or Beggar, or any such as shall be forced or very like to live by Begging within the Realm of *England* or *Wales*, or being born in the same Realms or Island, on Pain of every such Person so offending, to forfeit and lose for every such Vagabond, Rogue, Beggar or other Person like to live by begging, Twenty Shillings to the Use of the Poor of the said Parish in which they were set on Land; and if any such *Mannisk*, *Scottish* or *Irish* Rogue, Vagabond or Beggar be already or shall at any Time hereafter be set on Land, or shall come into any Part of *England* or *Wales*, the same after he or she shall be punished as aforesaid, shall be conveyed to the next Port or Parish in or near which they were landed or first came, in such Sort as Rogues are appointed to be by this present Act, and from thence to be transported at the common Charge of the Country where they were set on Land into those Parts from whence they came or were brought; and that every Constable, Headborough and Tythingman neglecting the due Performance thereof shall forfeit for every such Offence Ten Shillings.

VII. Be it further enacted by the Authority aforesaid, That no diseased or impotent poor Person shall at any Time resort or repair from their Dwelling Places to the City of *Bath* or Town of *Buxton*, or either of them, to the Baths there for the Ease of their Grievs, unless such Person do forbear to beg, and be licensed to pass thither by Two Justices of the Peace of the County where such Person doth or shall then dwell or remain, and provided for to travel with such Relief for and towards his or her Maintenance as shall be necessary for the same Person for the Time of such his or her travel and Abode at the City of *Bath* and Town of *Buxton*, or either of them, and return thence, and shall return home again as shall be limited by the said Licence, upon Pain to be reputed, punished and used as Rogues, Vagabonds and sturdy Beggars declared by this present Act; and that the Inhabitants of the same City of *Bath* and Town of *Buxton* shall not in any wise be charged by this Act with the finding or Relief of any such poor People.

VIII. Provided always, That the Justices of Peace within any County of this Realm or *Wales*, shall not intromit or enter into any City, Borough or Towns Corporate, where be any Justice or Justices of Peace for any such City, Borough or Town Corporate for the Execution of any Branch, Article or Sentence of this Act, for or concerning any Offence, Matter or Cause growing or arising within the Precincts, Liberties or Jurisdictions of such City, Borough or Towns Corporate, but that it may and shall be lawful to the Justice or Justices of the Peace, Mayors, Bailiffs and other Head Officers of those Cities, Boroughs and Towns Corporate, where there be such Justices of the Peace to proceed

proceed to the Execution of this Act, within the Precinct and Compass of their Liberties, in such Manner and Form as the Justices of Peace in any County may or ought to do within the same County by virtue of this Act; any Thing in this Act to the contrary thereof notwithstanding.

IX. Provided always, That this Act, or any Thing therein contained, shall not extend to the poor People for the Time being, in the Hospital called *Saint Thomas Hospital*, otherwise called the King's Hospital in the Borough of *Southwark*, near adjoining to the City of *London*, but that the Mayor, Commonalty and Citizens of the said City of *London* for the Time being, shall and may have the Rule, Order and Government of the said Hospital, and of the poor People therein for the Time being; any Thing in this Act to the contrary notwithstanding.

X. Provided always, That this Act or any Thing therein contained, or any Authority thereby given, shall not in any wise extend to disinheret, prejudice or hinder *John Dutton* of *Dutton*, in the County of *Chester*, Esquire, his Heirs or Assigns for, touching or concerning any Liberty, Pre-eminence, Authority, Jurisdiction or Inheritance which the said *John Dutton* now lawfully useth, or hath or lawfully may or ought to use within the County Palatine of *Chester*, and the County of the City of *Chester*, or either of them, by reason of any ancient Charters of any Kings of this Land, or by reason of any Prescription, Usage or Title whatsoever. And be it further enacted by the Authority aforesaid, That all Fines and Forfeitures appointed or to grow by this present Act (except such as are otherwise limited and appointed by this present Act) shall wholly go and be employed to the use of the Reparations and Maintenance of the said Houses of Correction, and Stock and Store thereof, or Relief of the Poor where the Offence shall be committed at the Discretion of the said Justices of the Peace of the same Limit, City, Borough or Town Corporate; and that all Fines and Forfeitures appointed or to grow by Conviction of any Person according to this present Act, shall, by Warrant under the Hands and Seals of any Two or more of the Justices of the Peace of the same County, City, Borough or Town Corporate, be levied by Distress and Sale of the Goods and Chattels of the Offender, which Sale shall be good in the Law against such Offender; and that if any of the said Offences shall be confessed by the Offender, or that the same shall be proved by Two sufficient and lawful Witnesses before such Two or more Justices of the Peace, that then every such Person shall forthwith stand and be in the Law convicted thereof.

XI. And be it further enacted by the Authority aforesaid, That any Two or more Justices of the Peace within all the said several Shires, Cities, Boroughs or Towns Corporate, whereof One to be of the *Quorum*, shall have full Power by Authority of this present Act, to hear and determine all Causes that shall grow or come in Question by reason of this Act.

XII. And be it also further enacted by the Authority aforesaid, That the Lord Chancellor or Keeper of the Great Seal of *England* for the Time, shall and may at all Times hereafter by virtue of this present Act, without further Warrant, make and direct Commission or Commissions under the Great Seal of *England* to any Person or Persons giving them or some of them thereby Authority,

Authority, as well by the Oaths of good and lawful Men as of Witnesses or Examination of Parties, or by any other lawful Ways or Means whatsoever, to enquire what Sums of Money or other Things have been or shall be collected or gathered for or towards the Erection of any Houses of Correction, or any Stocks or other Things to set Poor on work, or for the Maintenance thereof, at any Time after the Seventeenth Day of *November*, in the Eighteenth Year of the Reign of the Queen's most Excellent Majesty, and by whom the same were or shall be collected or gathered, and to whose Hands coming, and to what use and by whose Direction the same was or shall be employed; and to call all and every such Person and Persons, and their Sureties, and every of their Executors or Administrators to account; and to compel them and every of them by Attachment of their Goods or Bodies to appear before them for the same, and to hear and determine the same, and to levy such Money and Things as they shall find not to have been duly employed upon the said Houses of Correction or Stocks, or upon other like Uses, having in such other like Uses respect of Things past by the said Commissioners to be allowed of, either by Distress and Sale of the Goods and Chattels of such Persons as they shall think fit to be chargeable or answerable for the same, or by Imprisonment of their Bodies at their Discretion; and that the said Commissioners shall have full Power and Authority to execute the same Commission according to the Tenor and Purport thereof; and that all their Proceedings, Doings, Judgments and Executions by Force and Authority thereof, shall be and remain good and available in the Law, which said Money so levied by the said Commissioners shall be delivered and employed for the erecting or Maintenance of the same.

XIII. Provided always nevertheless, That every seafaring Man suffering Shipwreck, not having wherewith to relieve himself in his Travels Homewards, but having a Testimonial under the Hand of some One Justice of the Peace of or near the Place where he landed, setting down therein the Place and Time where and when he landed, and the Place of the Parties Dwelling or Birth unto which he is to pass, and a convenient Time therein to be limited for his Passage, shall and may without incurring the Danger and Penalty of this Act in the usual Ways directly to the Place unto which he is directed to pass, and within the Time in such his Testimonial limited for his Passage, ask and receive such Relief as shall be necessary in and for his Passage.

XIV. Provided also, That this Statute nor any Thing therein contained, shall extend to any Children under the Age of Seven Years, nor to any such Glassmen as shall be of good Behaviour, and do travel in or through any Country without begging, having Licence for their travelling under the Hands and Seals of Three Justices of the Peace of the same County where they travel, where of One to be of the *Quorum*.

XV. And be it also further enacted by the Authority aforesaid, That this present Act shall be proclaimed in the next Quarter-Session or Sessions in every County, and in such other Market Towns or Places as by the more Part of the Justices of the Peace in the said Sessions shall be agreed and appointed. This Act to endure to the End of the First Session of the next Parliament.

[Continued by several Acts; repealed, 12 Ann. Stat. 2. c. 23.]

C A P.

C A P. V.

An Act for erecting of Hospitals, or Abiding and Working Houses for the Poor.

35 Eliz. c. 7.
§ 27.

Any Person may
erect an Hospital
or House of Cor-
rection.

Incorporation of
Hospital by
Founder.

Hospital, &c. to
be named by
Founder.
Hospital, &c. to
be a Body Poli-
tick, &c.

‘ WHEREAS at the last Session of Parliament, Provision was made as well for maimed Soldiers by Collection in every Parish as for other Poor, that it should be lawful for every Person, during Twenty Years next after the said Parliament, by Feoffment, Will in Writing, or other Assurance, to give and bequeath in Fee-simple, as well to the Use of the Poor, as for the Provision, Sustentation or Maintenance of any House of Correction, or Abiding-Houses, or of any Stocks or Stores, all or any Part of his Lands, Tenements or Hereditaments: Her most Excellent Majesty understanding and finding that the said good Law has not taken such Effect as was intended, by reason that no Person can erect or incorporate any Hospital, Houses of Correction or Abiding-places, but her Majesty, or by her Highness special Licence, by Letters Patents under the Great Seal of England in that Behalf to be obtained:’ Her Majesty graciously affecting the good Success of so good and charitable Works, and that without often Suit unto her Majesty, and with as great Ease and little Charge as may be, is of her princely Care and blessed Disposition to and for the Relief and Comfort of maimed Soldiers, Mariners and other poor and impotent People, pleased and contented that it be enacted by Authority of this present Parliament; and be it enacted by the Authority of this present Parliament, That all and every Person and Persons seised of an Estate in Fee-simple, their Heirs, Executors or Assigns, at his or their Wills and Pleasures, shall have full Power, Strength, Licence and lawful Authority, at any Time during the Space of Twenty Years next ensuing, by Deed inrolled in the High Court of Chancery, to erect, found and establish one or more Hospitals, *Maisons de Dieu*, Abiding-places or Houses of Correction, at his or their Will and Pleasure, as well, for the finding, Sustentation and Relief of the maimed, poor, needy or impotent People, as to set the Poor to work, to have Continuance for ever, and from Time to Time to place therein such Head and Members, and such Number of Poor, as to him, his Heirs and Assigns, shall seem convenient: And that the same Hospitals or Houses so founded, shall be incorporated, and have perpetual Successions for ever, in Fact, Deed and Name, and of such Head, Members and Numbers of poor, needy, maimed or impotent People as shall be appointed, assigned, limited or named by the Founder or Founders, his or their Heirs, Executors or Assigns, by any such Deed inrolled: And that such Hospital, *Maison de Dieu*, Abiding-place or House of Correction, and the Persons therein placed, shall be incorporated, named and called by such Name as the said Founder or Founders, his Heirs, Executors or Assigns, shall so limit, assign and appoint: And the same Hospital, *Maison de Dieu*, Abiding-place or House of Correction, so incorporated and named, shall be a Body Corporate and Politick, and shall by that Name of Incorporation have full Power, Authority and lawful Capacity and Ability to purchase, take, hold, receive, enjoy and have, to them and to their Successors for ever, as well Goods and Chattels, as Manors, Lands, Tenements and Hereditaments,

ditaments, being Freehold, of any Person or Persons whatsoever: So that the same exceed not the yearly Value of Two hundred Pounds above all Charges and Reprises, to any one such Abiding-house, Hospital, *Maison de Dieu* or House of Correction, and so as the same, or any Part thereof, be not holden of our Sovereign Lady the Queen, her Heirs or Successors, immediately in Chief, or else of our said Sovereign Lady the Queen, or any other Person by Knight's Service; without Licence or Writ of *Ad quod Damnum*; the Statute of Mortmain, or any other Statute or Law to the contrary notwithstanding: And that the same Hospital, *Maison de Dieu*, Abiding-place or House of Correction, and the Persons so being incorporated, founded and named, shall have full Power, and lawful Authority, by the true Name of the Incorporation thereof, to sue and to be sued, implead and to be impleaded, to answer and to be answered unto, in all Manner of Courts and Places that now are or hereafter shall be within this Realm, as well Temporal as Spiritual, in all Manner of Suits whatsoever, and of what Nature and Kind soever such Suits or Actions be or shall be: And that the same Hospital, *Maison de Dieu*, Abiding-house or House of Correction, shall have and enjoy for ever such a common Seal or Seals, as by the said Founder or Founders, his or their Heirs, Executors or Assigns, shall be in Writing under his or their Hand and Seal assigned, named or appointed, whereby the same Corporation shall or may seal any Manner of Instrument touching the same Incorporation, and the Lands, Tenements, Hereditaments, Goods or other Things thereto belonging, or in any wise touching or concerning the same: And further shall be ordered, directed and visited, placed or upon just Cause displaced, by such Person or Persons, Bodies Politick or Corporate, their Heirs, Successors or Assigns, as shall be so nominated or assigned by the Founder or Founders thereof, their Heirs or Assigns, according to such Rules, Statutes and Ordinances, as shall be set forth, made, devised or established by the said Founder or Founders, their Heirs or Assigns, in Writing under his or their Hand and Seal, not being repugnant or contrary to the Laws and Statutes of this Realm; any Law, Statute, Custom, Usage or other Thing whatsoever to the contrary in any wise notwithstanding: And that it shall be lawful unto the Founder or Founders, his and their Heirs or Assigns, upon the Death or removing of any Head or Member of any such Corporation, to place one other in the Room of him that dieth, or is removed, successively for ever.

May purchase
Lands, &c.

7 E. 1. Stat. 2.

May sue and be
sued.

Shall have a
Common Seal.

Visitors

Statutes and
Ordinances.

Founder may
place the Head
and Members.

Leases.

General Saving.

II. Provided always, That all Leases, Grants, Conveyances or Estates to be made by any Corporation so to be founded as aforesaid, exceeding the Number of One and twenty Years, and that in Possession, and whereupon the accustomed yearly Rent or more, by the greater Part of Twenty Years next before the making of such Lease, shall not be reserved and yearly payable, shall be void. Saving to all Persons, Bodies Politick and Corporate, their Heirs and Successors, (other than the Founders and Givers, their Heirs and Successors), all such Right, Title, Claim, Possession, Rents, Services, Commons, Demands, Interest and Profits, which they or any of them shall have, or of Right ought to have, of, in or to any the Lands, Tenements or Hereditaments

ments hereafter to be given, limited or assigned in Form aforesaid, in as ample Manner as if this Statute had never been had or made.

Certain Persons
not enabled to
create Hospitals.

III. Provided also, That this Act, or any Thing therein contained, shall not extend to enable any Person or Persons, being within Age, Women covert without their Husbands, or of not *sane memoria*, to make any such Corporation, or to endow the same; any Thing in this present Act to the contrary thereof in any wise notwithstanding.

Endowment.

IV. Provided always, That no such Hospital, *Maison de Dieu*, Abiding-place or House of Correction, shall be erected, founded or incorporated by Force of this Act, unless upon the Foundation or Erection thereof, the same be endowed for ever, with Lands, Tenements or Hereditaments, of the clear yearly Value of Ten Pounds by the Year.

Construction of
Act.

V. Provided also, and be it further enacted, That no such Incorporation to be founded by Force of this Act, shall at any Time hereafter do or suffer to be done any Act or Thing, whereby or by Means whereof any of the Lands, Tenements, Hereditaments, Stock, Goods or Chattels of such Incorporation, or any Estate, Interest, Possession or Property of or in the same or any of them, shall be vested or transferred in or to any other whatsoever, contrary to the true meaning of this Act: And that such Construction shall be made upon this Act, as shall be most beneficial and available for the Maintenance of the Poor, and for repressing and avoiding of all Acts and Devices to be invented or put in ure contrary to the true Meaning of this Act.

[*Made perpetual, 21 Jac. 1. c. 1. § 2.*]

C A P. VI.

An Act to reform Deceits and Breaches of Trust touching Lands given to charitable Uses.

‘**W**HEREAS divers Colleges, Hospitals, Alms-houses and other Places within this Realm of *England*, have been founded and ordained, some of them by the Queen's most excellent Majesty, and by other her noble Progenitors, and some by other godly and well disposed Persons, for the charitable Relief of poor, aged and impotent People, maimed Soldiers, Schools of Learning, Orphans, and for such other good, charitable and lawful Purposes and Intents: And where divers Lands, Tenements and Hereditaments, Leases, Goods and Chattels, have been given, limited and appointed, for the like charitable, good and lawful Uses, Intents and Purposes; as also for Reparation of Highways, Amending of Bridges and Sea-banks, for the Maintenance of Free Schools and poor Scholars; as also for the Relief and Preferment of Orphans and fatherless Children, and such like good, lawful and charitable Uses, which Lands, Tenements and Hereditaments, Goods, Leases and Chattels, have been and are still like to be most unlawfully and uncharitably converted to the Lucre and Gain of some few greedy and covetous Persons, contrary to the true Intent and Meaning of the Givers and Disposers thereof: To the End such godly and charitable Purposes and Uses may be

‘ be from henceforth observed and continued, according to the true Intent and Meaning of the Givers and Founders thereof, and according to the true Intent and Meaning of any the foresaid good, godly and charitable Uses and Intents:’ Be it enacted by the Queen our Sovereign Lady, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the Lord Chancellor, or Keeper of the Great Seal of *England* for the Time being, and for the Chancellor of the Dutchy of *Lancaster* for the Time being, for Lands within the County Palatine of *Lancaster*, from Time to Time to award Commissions under the Great Seal of *England*, or the Seal of the County Palatine as the Case shall require, into all or any Part or Parts of this Realm respectively, according to their several Jurisdictions as aforesaid, to the Bishop of every several Diocese and his Chancellor, and to other Persons of good and sound Behaviour, authorising them thereby to enquire as well by the Oaths of Twelve lawful Men of the County, as by all other good and lawful Ways and Means of all and singular such Gifts, Limitations and Purposes, and of the Abuses and Misdemeanors, Misemployments, Falsities, defrauding of the Trusts, Intents and Purposes, Alienations or Misgovernments, which have been had, or at any Time hereafter shall be had or made, and of all and every other Matter, Thing and Cause, whereby or by Means whereof the good and godly Uses aforesaid, cannot or may not be maintained, executed and performed, according to the true Intent and Meaning of the Donors or Founders, and according to the true Intent and Meaning of any the aforesaid good, godly and charitable Uses and Intents; and after such Inquiry made, upon hearing and examining thereof, to set down such Orders, Judgment and Decrees, as the said good, godly and charitable Uses may be truly observed in full, ample and most ~~Much~~ ^{liberal} Sort, according to the true Intent and Meaning of the Founders or Donors thereof; which Orders, Judgments and Decrees, not being contrary or repugnant to the Orders, Statutes or Decrees of the Donors or Founders, shall by the Authority of this present Parliament stand firm and good, according to the Tenor and Purport thereof.

II. Provided always, That neither this Act, nor any Thing therein contained, shall in any wise extend to any Colleges, Halls or Houses of Learning, within the Universities of *Oxford* or *Cambridge*, or to the Colleges of *Westminster*, *Eaton* or *Winchester*, or any of them, nor to the Lands, Revenues or Possessions thereunto belonging; neither to any Cathedral Church within this Realm of *England*, nor to the Lands or Possessions thereunto appertaining or belonging.

III. Provided also, That neither this Act, nor any Thing therein, shall extend to any City or Town Corporate, or to any the Lands or Tenements given to the Uses aforesaid, within any such City or Town Corporate, where there is a special Governor or Governors, appointed to govern or direct such Lands, Tenements or Things disposed to any the Uses aforesaid; neither to any College, Hospital or Free School, which have special Visitors or Governors, or Overseers appointed them by their Founders.

IV. Provided also, and be it enacted by the Authority aforesaid, That neither this Act, nor any Thing therein contained,

shall be any way prejudicial or hurtful to the Jurisdiction or Power of the Ordinary; but that he may lawfully in every Cause execute and perform the same, as though this Act had never been had or made.

V. Provided also, That no Person or Persons that hath, or shall have any of the Lands, Tenements or Hereditaments, Goods or Chattels, given, limited or appointed to or for any the Uses, Purposes or Intents aforesaid, shall intermeddle as a Commissioner in any the Causes aforesaid.

VI. Provided always, and it is further enacted by the Authority aforesaid, That all such Orders, Judgments and Decrees, as shall be so set down by the said Commissioners as is aforesaid, shall be certified under the Seals of the said Commissioners, either into the Court of the Chancery of *England*, or into the Court of the Chancery within the County Palatine of *Lancaster*, as the Case shall require respectively, according to their several Jurisdictions, within such convenient Time as shall be limited in the said Commissions; and that the said Lord Chancellor or Lord Keeper, and the said Chancellor of the Duchy, shall and may within their said several Jurisdictions, take such Order for the due Execution of all or any of the said Judgments, Decrees and Orders, as to either of them shall seem fit and convenient; and that if after any such Certificate or Certificates made, any Person or Persons shall find themselves grieved with any of the said Orders, Judgments or Decrees, that then it shall and may be lawful to and for them, or any of them, to complain in that Behalf unto the said Lord Chancellor or Lord Keeper, or to the Chancellor of the said Duchy of *Lancaster*, according to their several Jurisdictions, for Redress therein; and that upon such Complaint, the said Lord Chancellor or Lord Keeper, or the said Chancellor of the Duchy, may, according to their said several Jurisdictions, proceed to the Examination, hearing and determining hereof, as to either of them in their said several Jurisdictions shall be thought to stand with Equity and good Conscience; any Thing in this Act contained to the contrary hereof in any wise notwithstanding.

[Repealed, 43 Eliz. c. 9. § 30.]

C A P. VII.

An Act for the more speedy Payment of the Queen's Majesty's Debts, and for the better Explanation of the Act made in the Thirteenth Year of the Queen's Majesty, intituled, *An Act to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers, &c. liable to the Payment of their Debts.*

13 Eliz. c. 4.

FOR the better and more speedy Payment and Satisfaction of her Majesty's Debts and Duties from Officers and Accountants, Be it enacted by the Authority of this present Parliament, That one Act made in the Seven and twentieth Year of the Queen's Majesty's Reign that now is, intituled, *An Act for the Explanation of the Statute made Anno xij. of the Queen's Majesty's Reign, intituled, An Act to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers, &c. liable to the Payment of their Debts,* shall from henceforth be repealed and of no Effect; and that

27 Eliz. c. 3.

that one other Act made in the Fourteenth Year of her Majesty's Reign, intituled, *An Act against the Deceit of Under Collectors of the Tenths and Subsidies of the Clergy*, shall be likewise from henceforth repealed and made void; and that the said Act made in the Thirteenth Year of the Queen's Majesty's Reign, in every Part thereof touching the Power given by that Act unto her Highness, her Heirs and Successors, to make Sale of any the Lands, Tenements or Hereditaments, by the same Act limited to be sold, is, shall and ought to be expounded and intended as well in case where the Sale is to be made after the Death of such Accountant or Debtor, as where it is to be made in his or their Life-time; and also as well in case where the Account is made and the Debt known, within Eight Years after the Death of such Accountant or Debtor, as where the same Account is made, or Debt known in the Life-time of the said Accountant or Debtor; and that no Person shall be expounded a Debtor within the Meaning and Intent of this Act, but such only as have been, are or shall be Farmer or Farmers of any Customs, Subsidies or Imposts, Prizage, Butlerage or other Duties within any Port of the Realm, and such Officers and Accountants hereafter in this Act mentioned and expressed, as upon their Accounts finished and determined (all his and their due and reasonable Petitions being allowed) shall remain Debtor, upon the Foot of his and their Accounts; any Ambiguity or Question that hath arisen or grown, or may arise, grow or may be conceived upon the Letter of the same Act of the Thirteenth Year, or of this present Act, to the contrary thereof in any wise notwithstanding.

II. And be it further enacted by the Authority of this present Parliament, That after one Year next after the Account hereafter to be made, or the Debt or Duty hereafter to be known of any Treasurer, Receiver, Teller, Customer, Farmers of Imposts or other Person or Debtor named or mentioned in the said Act made in the xiii. Year of her Majesty's Reign, and hereafter mentioned and expressed, (all his and their due and reasonable Petitions upon the same Account finished, or Debt known being allowed); and for Accounts heretofore made, or Debts known of any such Accountant or Debtor above said, after one Year next following after the End of this present Session of Parliament, it shall and may be lawful to and for our Sovereign Lady the Queen, her Heirs and Successors, for and towards the Satisfaction of the said Debt or Duty, or of so much thereof as shall then be unpaid, by Letters Patents under the Great Seal of *England*, to sell, convey and assure such and so much of the Manors, Lands, Tenements and Hereditaments, which any such Officer, Farmer, Debtor or Person accountable, at any Time since the Second Day of *April*, in the said xiii. Year of her Majesty's Reign, had or hereafter shall have, from or during such Time as such Person or Persons were, are or shall be such Officer or Officers, Farmer, Debtor or Person accountable as aforesaid, unto her Majesty, or which otherwise are to be sold for the same, by the true Intent and Meaning of the said Act, made in the xiii. Year of the Queen's Majesty's Reign, as shall suffice our Sovereign Lady the Queen's Majesty, her Heirs and Successors, for the Satisfaction of his or their Debt or Duty; and if any Overplus of Money shall be had upon any such Sale, that then the same shall be delivered and paid presently upon Request,

quest, without other Petition to be made for the same, to the Party or Parties whose Land shall be sold, his or their Heirs, out of the Receipt of her Majesty's Exchequer, by Warrant of the Lord Treasurer or Under-treasurer of the Exchequer for the Time being, without other Warrant from her Majesty, her Heirs and Successors, and without any Fees or Charges to be paid for the same; and that every Sale, Conveyance and Assurance so to be made by her Majesty, her Heirs and Successors, shall be as good and effectual in the Law, as if the same were or had been made by any such Officer, Farmer, Debtor or Person accountable for Money or other valuable Consideration, by Bargain and Sale, Deed enrolled, Feoffment, Recovery, with single or double Voucher, or by all or any of them; and shall also bind and bar only every such Officer, Farmer, Debtor and Person accountable, and his and their Heirs, and all other claiming by, from or under them or any of them, after such Time as he or they became, or shall become Officer, Farmer, Debtor or Person accountable, as is aforesaid, and all and every other Person and Persons, their Heirs and Successors, which any such Officer, Farmer, Debtor or Person accountable, might have barred, or may bar by any such Recovery, and all such whose Lands are to be sold by the true Intent and Meaning of the said Act of the Thirteenth Year, and all Persons claiming from, by or under them, and shall also be good and available against the Queen's Majesty, her Heirs and Successors, and all other Persons claiming from, by or under her Majesty, her Heirs or Successors, for or by reason of any former Charge, or other Incumbrance to her Majesty, her Heirs and Successors, by the Person or Persons, for whose Debt or Duty the same shall happen to be sold.

III. Provided always, and be it enacted, That such Sale, Conveyance or Assurance, which shall at any Time hereafter be had or made by Virtue of this Act, or of the said Act of the Thirteenth Year of her Majesty's Reign, shall not impeach or avoid any Demise, Lease or Grant heretofore made, or hereafter to be made by the Queen's Majesty, her Heirs or Successors, of any such Lands, Tenements or Hereditaments, which shall be sold, conveyed or assured as is aforesaid, or of any Part thereof, any other wise, or in any other Sort, Manner or Form, than the same should have been avoided or impeached by the ordinary Course of the Common Law, if her Majesty, her Heirs or Successors, had been or shall be fully satisfied of such Debt or Duty, for which any such Lands, Tenements or Hereditaments shall be sold, conveyed or assured by Virtue of this Act, or of the said Act of the xiii. Year of her Highness' Reign; any Thing herein contained to the contrary thereof notwithstanding.

IV. And be it further enacted by the Authority aforesaid, That as well this Act and every Clause therein contained, as the said Act made in the Thirteenth Year of her Highness' Reign, and every Clause therein contained, shall extend to all manner of Under Collectors of Tenths and Subsidies of the Clergy, which have been, now be or hereafter shall be, for satisfying of such Money as any such Under Collector hath collected, or shall collect of the said Tenths and Subsidies, in as ample wise as if every such Under Collector were immediately accountant to the Queen's Majesty, her Heirs and Successors; and that every such Under Collector shall upon

upon Proceſs to be awarded out of the Court of Exchequer of our ſaid Sovereign Lady, her Heirs and Succeſſors, be chargeable to account for his Receipt of ſuch Tenths and Subſidies, as any Receiver immediately accountant to her Maſteſty is or ought to be; and that every Archbiſhop and Biſhop, and their Heirs, Executors and Aſſigns, and Dean and Chapter *ſede vacante*, to whoſe Charge the Collection of ſuch Tenths or Subſidies doth or ſhall appertain, ſhall be diſcharged of ſo much of the ſaid Tenths and Subſidies as ſhall be ſatiſhed to the Queen's Maſteſty, her Heirs or Succeſſors, of or by the Lands, Tenements, Hereditaments, Goods or Chattels, of ſuch Under Collector or his Heirs, without any other Warrant whatſoever, or Charge in that Behalf to be obtained or ſuſtained.

V. Provided always, and be it enacted, That this Act, or any Thing therein contained, or the ſaid Act of the Thirteenth Year, or any Thing therein contained, ſhall not impeach or avoid any Sale, Leaſe, Demiſe, Grant, Charge, Extent, Execution or other Aſſurance made before the Beginning of this Parliament *bona fide* by any ſuch Perſon ſo accountable or indebted as is aforeſaid, or by his Heirs, or by any Perſon or Perſons claiming *bona fide* from, by or under them or any of them, nor ſhall extend to avoid any Leaſe or Demiſe, not exceeding the Term of One and twenty Years or Three Lives, whereupon ſo much yearly Rent hath or ſhall be reſerved and yearly payable during every ſuch Leaſe and Demiſe as at any Time within Twenty Years next before the making of ſuch Demiſe or Leaſe, hath or ſhall be yielded or paid for the ſame, nor to avoid any Leaſe for Years determinable upon Three Lives or under, made or to be made, whereupon ſuch yearly Rent is or ſhall be reſerved as is aforeſaid; nor to avoid any Cuſtomary Eſtate, made or to be made, according to the Cuſtom of the Manor, whereof ſuch Cuſtomary Lands ſo let or demised are Parcel.

VI. Provided always, and be it enacted, That this Act ſhall extend only to ſuch as ſithence the Beginning of the Queen's Maſteſty's Reign have been, now are or ſhall be Treafurer, Teller or Receiver, or uſing, exerciſing or having the Office of Treafurer, Teller or Receiver, in or belonging to any of the Queen's Maſteſty's Courts of Exchequer, Wards and Liveries, or Duchy of Lancaſter, Treafurer of the Chamber, Cofferer of the Houſehold, Treafurer for the Wars, Treafurer of any Fort, Town or Caſtle where any Garrifon is or ſhall be kept, Treafurer of the Admiralty or Navy, Treafurer, Under Treafurer or other Perſon accountable to the Queen's Maſteſty, her Heirs or Succeſſors, for any Office or Charge of or within the Mint, and others exerciſing or having any Office or Offices of Treafurer or Receiver of any Sum of Money for Provision of Victuals, or for Fortifications, Buildings or Works, or for any other Proviſions to be uſed in any the Offices of the Queen's Maſteſty's Ordnance and Artillery, Armory, Wardrobe, Tents and Pavilions, or Revels, Cuſtomer, Collector, Farmer of Impoſts, Cuſtoms, Subſidies, Butlery, Priſage or other Duties within any Port of the Realm, Collector or Under Collector of Tenths and Subſidies of the Clergy, Collector of any Subſidy or Fifteen, Receiver General or Particular of the Revenues of any County or Counties anſwerable in the Receipt of the Exchequer, or in the Courts of Wards and Liveries,

Liveries, or Duchy of *Lancaster*, Clerk of the Hamper, and other Person or Persons usually or ordinarily and voluntarily exercising, using or having any Office of Receipts, or usually or ordinarily and voluntarily taking upon him as an Officer of any Receipts, and to none other.

VII. Provided always, and be it enacted, That the said Act of the Thirteenth, or this Act or any Thing therein contained, shall not extend to the Sale of the Lands, Tenements or Hereditaments of any Officer, Accountant or Debtor, or of his or their Heir or Heirs, or of any other Person claiming from, by or under them or any of them, for or by reason of any Account, Debt or Farm, whereof any such Debtor or Accountant, his or their Heirs, Executors or Administrators, have or shall have a *quietus est*, or other usual Discharge, upon the Declaration of his and their Account, according to the usual Order of the said Court of Exchequer.

VIII. Provided also, and be it enacted, That this Act, or any Thing therein contained, shall not extend to give any Power or Authority to make any Sale, Conveyance or Assurance of any Manors, Lands, Tenements or Hereditaments of any Archbishop, Bishop, Dean and Chapter, or of any other Ecclesiastical Person, whereof he or they, or any of them, be or hereafter shall be seized in the Right of his or their Bishoprick, Church or other Corporation Ecclesiastical whatsoever.

IX. Provided always, and be it enacted, That the said Act of the Thirteenth, or this Act, shall not extend to the Sale, Conveyance or Assurance of any Manors, Lands, Tenements or Hereditaments, for any Debt being intalled.

X. Provided always, and be it enacted, That this Act shall not extend to charge any Sheriff, Escheator or Bailiff of Liberties, nor any of their Heirs or Assigns, nor to the Sale of the Lands, Tenements or Hereditaments of any Sheriff, Escheator or Bailiff of Liberties, nor of any their Heirs or Assigns for any Thing touching his or their Office of Sheriffwick, Escheatorship or Bailiwick, or for any Money or other Thing by them or any of them, by reason of any of their said Offices, otherwise or in any other Manner than they or any of them might lawfully have been charged before the making of this Act, or of the said Act of the Thirteenth Year of her Majesty's Reign; any Thing herein contained to the contrary notwithstanding.

XI. And be it further enacted, That if the Queen's Majesty, her Heirs or Successors, shall by any Sale, Conveyance or Assurance of any Manors, Lands, Tenements or Hereditaments, by Force of the said Act of the Thirteenth, or of this Act, or by other Matter coming of Record, be fully satisfied of the Debt or Arrearages of any such Officer, Accountant or Debtor, or of any Part thereof; then the Sureties of such Officer, Accountant or Debtor, and other Person or Persons bound, or to be bound for such Accountant or Debtor in that Behalf, shall be discharged of so much of the said Debt, Forfeiture and Arrearages, as so shall be satisfied, and for the Residue only, shall be rateably according to their Abilities charged; any Thing in this Act, or in any other Statute, to the contrary notwithstanding.

XII. Provided always, and be it enacted, That the said Act of the Thirteenth Year, or this Act, or any Thing therein contained,

tained, shall not extend to give any Power or Authority to make Sale, Conveyance or Assurance of any Manors, Lands, Tenements or Hereditaments of the Master and Lieutenant of the Ordnance, Master of the Horse, Master of the Armory, the General Receiver of the Duchy of *Lancaster*, and of the Wards and Liveries, Treasurer of the Chamber, Master of the Jewel House, Cofferer of the Household of our Sovereign Lady the Queen, her Heirs and Successors, Treasurers of Wars or Garrisons, Treasurer of the Navy, Treasurers or Receivers of any Sums of Money for Victual or Fortifications, or for Buildings, or Master of the Wardrobe, for any Debt to be adjudged or known as it is aforesaid, concerning their or any of their Offices mentioned in this Branch, unless the Queen's Majesty, her Heirs and Successors, upon or after their Debt known or Account determined, (all his or their due Petitions to them upon the same Accounts being allowed), require or command, by or under the Great Seal or Privy Seal, present Payment thereof, or otherwise eftsoons require a new Account of the same Debt, so set or remaining in any of the Accounts mentioned in this Branch; and that then the same Debt, or any Part thereof, shall be found to be owing or unexpended in the Matters or Charges pertaining to any of their said Offices or Charges mentioned in this Branch, and the same Debt remain unpaid by the Space of one whole Year after such Request or Commandment.

XIII. Provided also, and be it enacted, That this Act, or any Thing therein contained, shall not extend to the Sale, Assurance or Conveyance of any Manors, Lands, Tenements or Hereditaments as is aforesaid, unless the Debt of such Officer, Accountant or Debtor, do exceed the Sum of Three hundred Pounds; any Thing in this Act to the contrary notwithstanding.

XIV. Provided also, and be it likewise enacted, That this Act, or any Thing therein contained, shall not extend to make any Sale, Conveyance or Assurance of any Manors, Lands, Tenements or Hereditaments descended, or which hereafter shall descend to any Heir or Heirs within the Age of One and twenty Years, so long as such Heir or Heirs shall be within the Age of One and twenty Years; and yet nevertheless, after such Time as any such Heir or Heirs shall accomplish his or their full Age of One and twenty Years, and after Two Years expired after such full Age, it shall and may be lawful to and for our said Sovereign Lady, her Heirs and Successors, to make Sale, Assurance and Conveyance of such Manors, Lands, Tenements and Hereditaments so to him and them descended, in such Sort, Order, Manner and Form, to all Intents, Constructions and Purposes, as if such Heir or Heirs had been of full Age at the Time of the Account finished and determined, or Debt known of any such Officer, Debtor or Accountant.

XV. Provided always, and be it enacted by the Authority aforesaid, That before such Time, as any the Manors, Lands, Tenements or Hereditaments, which any such Officer, Accountant or Debtor, shall *bona fide*, and for valuable Consideration, sell, convey or assure to any Person or Persons, shall be by the Queen's Majesty, her Heirs and Successors, sold, conveyed or assured, as is aforesaid, a *Scire facias* shall be awarded out of her Majesty's Court of Exchequer, unto the Sheriff of the County where any

such Manors, Lands, Tenements or Hereditaments so to be sold for the said Debt do lie, generally to garnish, summon or warn any of the Tertenants upon any Part of the said Manors, Lands, Tenements or Hereditaments, to shew Cause why the said Manors, Lands, Tenements or Hereditaments, should not be put to Sale for Satisfaction of the Debt of her Majesty, her Heirs or Successors, whereupon if the Tertenant upon such Garnishment or Warning returned, shall make Default, or shall appear, and do not within Two Years next after such Return, sufficiently prove in the said Court of Exchequer, that the Officers, Accountants or Debtors, (if he or they be then living), have sufficient Lands, Tenements or Hereditaments, to answer, upon Sale thereof to be made, by the Queen's Majesty, her Heirs or Successors, by Force of this Act, the said Debt or Farm, or sufficient Goods or Chattels, liable and subject to the Payment of such Debt or Farms, or if he or they be dead, that the Executors or Administrators of such Officers, Accountants or Debtors, have sufficient Goods or Chattels liable and subject as aforesaid, or the Heir of such Officer Accountant or Debtor, have sufficient Lands, Tenements and Hereditaments, liable to answer upon Sale thereof to be made, by the Queen's Majesty, her Heirs and Successors, by Force of this Act, the same Debt or Farm, and whereby the said Debt and Farm shall or may be fully and duly satisfied; that then after Two Years and Ten Months next after such Return, such and so much of the Manors, Lands, Tenements and Hereditaments, which any such Officer, Debtor or Person accountable, had or at any Time hereafter shall have, after he became or shall become any such Officer, Debtor or Person accountable, or which otherwise are or be sold, by the true Intent and Meaning of the said Act made in the Thirteenth Year of the Queen's Majesty's Reign, as shall suffice for the Satisfaction of our Sovereign Lady the Queen's Majesty, her Heirs or Successors, of his or their Debt or Duty, shall be sold by her Majesty, her Heirs or Successors, and the Money thereof coming to dispose according to the true Intent and Meaning of this Act.

XVI. Provided also, and be it further enacted by the Authority aforesaid, That in such Cases where any Account hath been or shall be made, or any Debts have been or shall be known in the Courts of Wards and Liveries, and Duchy of *Lancaster*, or in either of them; then before such Time as any the Manors, Lands, Tenements or Hereditaments, which any such Officer, Accountant or Debtor, shall *bona fide*, for valuable Consideration, sell, convey or assure to any Person or Persons, shall be by the Queen's Majesty, her Heirs and Successors, sold, conveyed and assured as is aforesaid, such Process shall be awarded as is hereafter expressed; to wit, a Summons or Garnishment with Proclamation, shall be awarded to the Sheriff of the County where any such Manors, Lands, Tenements or Hereditaments so to be sold for the said Debt do lie, generally to garnish, summon or warn any of the Tertenants thereof, by open Publication or Proclamation to be made, either upon some Part of the said Manors, Lands, Tenements and Hereditaments, or in some Market Town next adjoining in the same County, Twenty Days at the least before the Return thereof, to shew Cause why the same Manors, Lands, Tenements or Hereditaments, should not be put to Sale, for Satisfaction

faction of the Debt of her Majesty, her Heirs or Successors, whereupon if the Tertenants upon such Garnishment or Warning returned shall make Default, or shall appear, and do not within Two Years next after such Return, make such sufficient Proof as aforesaid, as by the Order and Decree of either of the same Courts shall be allowed in that Behalf, that then all Things shall be done and executed for the Sale of the same Manors, Lands, Tenements or Hereditaments, and for the full Satisfaction of the same Debt or Farm, in like and in as large and ample Manner and Form, to all Intents and Purposes, as before in this Act is limited and appointed in Cases where Default is made, or Appearance and no Cause and Proof as aforesaid made, upon a *Scire facias* awarded out of the said Court of Exchequer.

XVII. Provided always, That if the Tertenant or Tertenants shall prove in the said Courts of Exchequer, Wards and Liveries, and Duchy as is aforesaid, within Two Years next after such Return and Returns as aforesaid, that the said Officer, Debtor or Accountant hath Manors, Lands, Tenements or Hereditaments, liable and subject to the Sale of our Sovereign Lady the Queen's Majesty, her Heirs or Successors, by Force of this Act, but not sufficient upon Sale thereof by Virtue of this Act, to answer and satisfy the Debt and Duty of the said Officer, Debtor or Person accountable; or that the Executors or Administrators of the said Officer, Accountant or Debtor, (if he be then dead), have Goods or Chattels liable and subject to the Payment of the Debt or Farm of the Officer, Debtor or Accountant, but not sufficient upon the Sale thereof for the full Satisfaction of the said Debt or Farm; or that the Heir of such Officer, Accountant or Debtor have Lands, Tenements or Hereditaments by Descent, liable and subject to the Sale of the Queen's Majesty, her Heirs and Successors, for and towards the Payment or Satisfaction of the Debt or Farm of such Officer, Accountant or Debtor by Force of this Act, but not sufficient upon Sale thereof by Virtue of this Act for the full and due Satisfaction of the said Debt or Farm, that then the Queen's Majesty, her Heirs and Successors, shall first make Sale as aforesaid, of all the Manors, Lands, Tenements and Hereditaments of the said Officer, Debtor or Person accountable, and seize and take into her and their Hands all the said Goods and Chattels; and if the same be not sufficient upon Sale thereof by Force of this Act, to answer and satisfy the said Debts or Farm, then to make Sale of the Manors, Lands, Tenements and Hereditaments so descended to the said Heir, for and towards the Satisfaction of the Residue of the said Debt; and if neither the said Lands, Goods and Chattels of the said Accountant, Officer or Debtor, or of his Executors or Administrators, nor the said Lands, Tenements and Hereditaments so descended to the said Heir, be sufficient to answer and satisfy the full and due Debt, then such and so much of the Manors, Lands, Tenements and Hereditaments which any such Officer, Debtor or Person accountable had or at any Time hereafter shall have, after he became or shall become any such Officer, Debtor or Person accountable, shall be sold by the Queen's Majesty, her Heirs and Successors as aforesaid, as shall suffice to make a full Satisfaction of the Residue of his or their whole and entire Debt and Duty; and the Oyerplus (if

(if any be) to be disposed as aforesaid, according to the true Intent and Meaning of this present Act.

XVIII. Provided always, That every such Tertenant claiming by Purchase from any such Officer, Accountant or Debtor, or his Heirs, or from, by or under any Purchaser, from such Officer, Accountant or Debtor, whose Lands shall happen to be sold by virtue of this Act, shall have rateably Contribution for his and their Charges, Damages and Losses, of and against every other Person or Persons that shall purchase or shall claim from, by or under any Purchaser of any Lands, Tenements or Hereditaments of such Officer, Accountant or Debtor liable to any Sale to be made by virtue of this Act; and if any such Person or Persons shall refuse to make and yield a reasonable Contribution to the Party and Parties whose Lands are sold as aforesaid, that then upon Complaint thereof made to the Barons of the Exchequer, they shall and may by virtue of this Act award Procefs of Seizure and Extent in her Majesty's Name, upon the Lands, Tenements and Hereditaments of every such Person or Persons as shall so refuse to yield a reasonable Contribution; and the same Lands so seized and extended shall and may by virtue of this Act, without other Warrant, assign and commit to the said Person or Persons, their Heirs, Executors or Administrators, that ought to have Contribution by the true Meaning of this Act, until such Time as he or they shall be satisfied of so much Money for Contribution of his and their Damages, Losses, Charges and Expences as shall be rated, taxed and assessed by the said Barons of the Exchequer for the Time being.

XIX. Provided always, and be it enacted by the Authority aforesaid, That every such *Scire facias* so to be awarded, and the Return thereof, shall be entered of Record in the Court of Exchequer; and every such Procefs of Summons, and Garnishment with Proclamation and the Return thereof, so to be awarded out of every the said several Courts of Wards and Liveries, and Duchy of *Lancaster*, and the several Returns thereof, shall be entered into the Book of Decrees of the said Courts, out of which such Procefs shall be awarded; and that every Person and Persons to whom the Queen's Majesty, her Heirs or Successors, shall make Sale of any Manors, Lands, Tenements or Hereditaments of any such Officer, Accountant or Debtor, shall or may have exemplified the several Procefs aforesaid, and the Return or Returns thereupon under the Great Seal of *England*, and that as well the said Inrolment and Entries aforesaid of the said Procefs, and the Returns thereupon, as the said Exemplifications shall be of as good Force and Validity in the Law, to all Intents and Purposes, as if the said Procefs and Returns thereupon were extant, remaining and sufficient: And to the Intent such Manors, Lands, Tenements and Hereditaments, as are liable to Sale by the Queen's Majesty, her Heirs and Successors, by force of this Act, may be sold according to the Value thereof, for the more speedy Payment of the Debts and Duties due to her Highness, her Heirs and Successors, and for the Benefit of the Person or Persons whose Lands shall be sold; it is enacted by the Authority aforesaid, that if any Person or Persons, other than the Officer, Debtor or Accountant aforesaid, whose Lands, Tenements or Hereditaments

are

are or shall be liable to be sold by force of this Act, do or shall at any Time within the said Two Years and Ten Months after such Return as aforesaid, procure any other able and sufficient Person or Persons to purchase or buy the same at such Price and Value as the same Lands, Tenements or Hereditaments at that Time shall be reasonably worth to be sold, then upon Payment and Satisfaction to be made to the Queen's Majesty, her Heirs and Successors, of the Value of the said Lands, Tenements or Hereditaments so to be sold, our said Sovereign Lady, her Heirs and Successors, by Letters Patents under the Great Seal of England, will be pleased to sell such Lands, Tenements and Hereditaments, to such Person or Persons before any other, as will purchase and buy the same, by the Means and Procurement of him or them whose Lands, Tenements and Hereditaments shall be sold as aforesaid.

XX. And be it enacted by the Authority aforesaid, That all and every Person and Persons, whose Manors, Lands, Tenements or Hereditaments, shall be liable and subject to be sold by force of this Act, upon Process to be awarded out of the Court of Exchequer, and other the Courts aforesaid, shall bring and shew into the said Courts, all such Evidences concerning the said Manors, Lands, Tenements and Hereditaments liable and subject to be sold as aforesaid, being in his or their Custody or Possession, or in the Custody or Possession of any other by his Delivery, Consent or Appointment, to the Intent the State or Title of and in the said Manors, Lands, Tenements or Hereditaments may be known, to the End the better and more available Sale thereof may be made, according to the true Intent and Meaning of this Act.

XXI. And it is also the true Intent of this Act, and of the said Statute of the Thirteenth Year of the Queen's Reign, That if any Person or Persons, whose Lands, Tenements and Hereditaments are or shall be liable and subject to be sold by virtue of this Act, or of the said Act of the Thirteenth, have sufficient Manors, Lands, Tenements or Hereditaments, over and beside his chief Mansion-house, and Demesnes belonging thereunto, to satisfy the Debts and Duties of her Majesty, her Heirs and Successors, and to procure the same to be bought or purchased for so much Money, as will satisfy the said Debts and Duties, within the said several Time and Times before limited and appointed for the said Lands, Tenements and Hereditaments, to be sold as aforesaid and do satisfy the said Debts and Duties accordingly; that then his and their said chief Mansion-house and Demesnes thereunto belonging, shall not be sold by her Majesty, her Heirs and Successors, by force of this Act, or of the said Statute of the Thirteenth Year of the Queen's Majesty's Reign.

XXII. Provided always, That this Act shall endure only to the End of the next Session of the next Parliament ensuing.

[Continued as therein mentioned, 43 Eliz. c. 9. § 22. 27. but now expired.]

C A P. VIII.

An Act for the Confirmation and Establishment of the Deprivation of divers Bishops and Deans, in the Beginning of Her Majesty's Reign.

WHEREAS divers and sundry Persons exercising the Office and Function of Bishops and Deans of divers Sees and Bishopricks, and Deanries within this Realm, in the Reign of our late Sovereign Lady Queen *Mary*, were, before the Tenth Day of *November*, in the Fourth Year of the most happy and blessed Government of the Queen's most Excellent Majesty that now is, lawfully and justly deprived from such Bishopricks and Deanries as they severally enjoyed, and took upon them to hold, and in their Stead and Places sundry excellent and worthy Men duly preferred to the same: And whereas the Parties so deprived, did notwithstanding, as it is pretended, make secret Appeals, and used other secret Means, pretending thereby to support the Continuance of their said Offices and Functions:

What Deprivation of Bishop, &c. or Dean, good.

II. Be it therefore declared and enacted by Authority of this present Parliament, That all and every Deprivation and Deprivations, and all and every Sentence and Sentences of Deprivation whatsoever, had, pronounced or given at any Time between the Beginning of the Reign of the Queen's most Excellent Majesty that now is, and the Tenth Day of *November*, in the Fourth Year of the same, against any Person or Persons which was, or took upon him to be Archbishop or Bishop of any See or Bishoprick, or Dean of any Deanry within this Realm, or any the Dominions thereof, in the Reign of the said late Queen *Mary*, from such See or Bishoprick, shall be adjudged, deemed and taken good and sufficient in Law, to all Intents and Purposes, and so shall remain and continue; any Appeal, Exception or other Matter or Thing whatsoever; to the contrary thereof in any wise notwithstanding.

Archbishops, &c. made by the Queen lawful

III. And be it further enacted by Authority aforesaid, That all such Archbishops and Bishops, and Deans, as were ordained or made by the Authority or Licence of the Queen's Majesty that now is, at any Time between the Beginning of her Reign and the said Tenth Day of *November*, in the Fourth Year of her Majesty's Reign, shall be taken and adjudged to be lawful Archbishop or Bishop of the See or Bishoprick, and Dean of the Deanry unto the which he was so preferred, assigned or appointed: And that the same See of Archbishoprick or Bishoprick and Deanry unto which he was so preferred, assigned or appointed, shall be deemed and adjudged to be merely void to all Respects and Purposes, before such Preferment, Appointment or Assignment so made as aforesaid; any Ambiguity or Question in that Behalf heretofore made, or hereafter to be made, to the contrary in any wise notwithstanding.

C A P. IX.

An Act for the taking away of Clergy from Offenders against a certain Statute made in the Third Year of H. 7. concerning the taking away of Women against their Wills unlawfully.

WHEREAS of late Times divers Women, as well Maidens as Widows and Wives, having Substance, some in Goods moveable, and some in Lands and Tenements, and some being Heirs apparent to their Ancestors, for the Lucre of such Substance been oftentimes taken by Misdoers contrary to their Will, and afterward married to such Misdoers, or to others by their Assent, or defiled, to the great Displeasure of God, and contrary to your Highness Laws, and Disparagement of the said Women, and great Heaviness and Discomfort of their Friends, and ill Example of others; which Offences, albeit the same be made Felony by a certain Act of Parliament made in the Third Year of King Henry the Seventh, yet forasmuch as Clergy hath been heretofore allowed to such Offenders, divers Persons have attempted and committed the said Offences, in hope of Life by the Benefit of Clergy; Be it therefore enacted by the Queen's most Excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That all and every such Person and Persons, as at any Time after the End of this present Session of Parliament shall be convicted or attainted of or for any Offence to be committed after the End of this present Session of Parliament, made Felony by the said Act of the Third Year of the Reign of King Henry the Seventh, or which shall be indicted and arraigned of or for any such Offence, and stand mute (a), or make no direct Answer, or shall challenge peremptorily above the Number of Twenty, shall in every such Case lose his and their Benefit of Clergy, and shall suffer Pains of Death without any Benefit of Clergy; any former Law to the contrary notwithstanding. (a) [*As to standing mute, see 12 G. 3. c. 20.*]

Taknig away a Woman that hath Lands, &c. or is Heir apparent.

3 H. 7. c. 2.

3 H. 7. c. 2.

Death.

Provido.

II. Provided always, That this Act, nor any Thing therein contained, shall not extend to take away the Benefit of Clergy, but only from such Person and Persons as hereafter shall be Principals or Procurers or Accessories before such Offence committed.

C A P. X.

An Act for the Increase of Mariners, and Maintenance of the Navigation; repealing a Statute made in the xxiiiith Year of her Majesty's Reign, bearing the same Title.

† 34.

WHERE at the Parliament holden by Prorogation the Sixteenth Day of January, in the Twenty third Year of the Reign of our most gracious Sovereign Lady Queen Elizabeth, an Act was made, intituled, *An Act for the Increase of Mariners, and for Maintenance of the Navigation*, whereby, amongst other Things, it was enacted, That it should not be lawful to any native English Man, Woman or Denizen, at any Time after a Time limited in the same Act, directly or indirectly, by themselves, their Servants, Factors, Agents, Deputies or Friends, or any

23 Eliz. c. 7.

§ 2.

of

§ 3—7.

of them whatsoever, to go or send into any other foreign
 Country, Realm or Dominion whatsoever, for the buying,
 providing or bringing into this Realm, out of or from any the
 said foreign Realms or Dominions out of the Queen's Obei-
 sance, of any salted Fish or salted Herrings, nor should make
 any Agreement with any Alien or Stranger, or any other, for
 such bringing into this Realm by any Alien or Stranger, of
 any salted Fish or salted Herrings; and that no salted Fish nor
 salted Herrings should be brought hither out of the said foreign
 Realms and Dominions, but by the mere Owners thereof or
 Deputies of them, being Aliens and Strangers, without the
 Procurement of any Subject of the Queen's Majesty, her Heirs
 or Successors, or of any Denizen, and by none other Person or
 Persons; upon Pain that such *English* Person or Denizen offend-
 ing against that Act should forfeit the same salted Herrings and
 salted Fish or the Value thereof, with divers other Clauses and
 Branches in the same Statute contained, touching the bringing
 of Fish into this Realm, and the buying and selling of Fish, as
 by the same Act at large appeareth: Upon the making of which
 Act, it was hoped and expected, that the Fishermen of this
 Realm would in such Sort have employed themselves to fishing,
 and to the building and preparing of such Store of Boats and
 Shipping for that Purpose, as that they should long ere this Time
 have been able sufficiently to have victualled this Realm with
 salted Fish and Herrings of their own taking, without any Supply
 of Aliens and Strangers, to the great Increase of Mariners and
 Maintenance of the Navigation within this Realm: Notwith-
 standing, it is since found by Experience, that the Navigation
 of this Land is no whit bettered by the Means of that Act, nor
 any Mariners increased nor like to be increased by it; but
 contrariwise, the natural Subjects of this Realm, not being able
 to furnish the Tenth Part of the same with salted Fish of their
 own taking, the chief Provision and victualling thereof with Fish
 and Herrings, hath ever since the making of the same Statute
 been in the Power and Disposition of Aliens and Strangers,
 who thereby have much enriched themselves, greatly increased
 their Navigation, and (taking Advantage of the Time) have
 extremely enhanced the Prices of that Victual, to the great Hurt
 and impoverishing of the native Subjects of this Realm, and
 yet do serve the Markets here in very evil Sort, by little and
 little, housing and keeping their Fish as well on this Side as
 beyond the Seas, till the Prices be raised to their liking; and the
 Merchants of this Realm having been wholly barred in their
 Trades of providing of Fish for the Service thereof, the Navi-
 gation of this Realm, which was intended to be augmented, hath
 been rather impaired than increased thereby, and the Prices of
 Fish greatly enhanced, to the great and general Prejudice of the
 Subjects: For Remedy whereof, and for that it is lawful as well
 to Strangers and Aliens as to the Subjects of this Realm, to
 carry out into foreign Parts and Dominions such salted Fish and
 Herrings as are taken and provided by the Subjects of this
 Realm, and therefore very unequal that the native Subjects of
 this Land should not be at Liberty to bring in also foreign Pro-
 vision of Fish for the victualling of their own Country as well

‘ as to carry out, but that the Stranger should be wholly trusted
‘ therewith:’

II. Be it therefore enacted by the Queen's most excellent Majesty, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the same Statute made in the said Three and twentieth Year of her Majesty's most gracious Reign, and every Clause, Branch, Article and Proviso thereof, and all the Penalties and Forfeitures therein contained, shall from henceforth be clearly repealed, void, frustrate and of none Effect, to all Intents, Constructions and Purposes, as if the same had never been had ne made; any Thing in the same Act contained to the contrary thereof in any wise notwithstanding.

23 Eliz. c. 7.

repealed.

III. And be it further enacted by the Queen's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That it shall and may be lawful for all and every her Majesty's Subjects, being Owners of any Ships, Barks or Vessels sailing with cross Sails, to receive and take into their said Ships, Barks or Vessels, any Herrings or other Fish, which any Alien or Stranger shall buy and provide of any of her Majesty's Subjects within this Realm, and the same Herrings and Fish or any of them, may transport into any Parts beyond the Seas, being in League or Amity with her Majesty, in their said Ships or Vessels with cross Sails; so as the said Aliens or Strangers pay to her Majesty her Customs and Duties for the same, in such Sort as by the same former Act was limited and appointed.

Fish may be transported in Ships with cross Sails.

Alien.

IV. And be it enacted by the Authority aforesaid, That all Aliens and Strangers shall from henceforth, and from Time to Time, pay to her Majesty for all salted Fish and salted Herrings to be brought into this Realm, all such like Customs and Impositions as are or shall be imposed and set upon any her Majesty's Subjects in those foreign Regions and Countries, Ports and Towns, from whence the said salted Fish and salted Herrings shall be shipped and brought, for the like Fishes and Herrings, over and besides the ordinary Customs which have been paid to her Majesty for the same, in Manner and Form, as by the same Act was enacted and appointed.

Customs for Fish imported.

V. And be it further enacted by the Authority aforesaid, That if any Alien or Stranger born, or any Denizen or natural born Subject of this Realm, shall bring into any Haven, Port, Creek or Town of this Realm, any salt Fish or salt Herrings, which shall not be good, sweet, seasonable and meet for Mens Meat, and shall offer the same to be sold, and shall be warned by any Officer of such Port, Haven or Town, where the same shall be offered to be sold, that the same be not seasonable nor meet for Mens Meat; that then if he or they shall after that, offer any of the said unseasonable Fish to be sold to any Person within this Realm, or being an Alien born, and no Denizen, shall not depart with the same from the said Haven, Port or Town, so soon as Conveniency will serve; that then all and every Person, Owners thereof, shall lose and forfeit to our said Sovereign Lady all the said unseasonable Fish unmeet for Mens Meat as before is said.

Importing and offering to sell unwholesome Fish.

Penalty.

“ Ordinances to restrain the taking, selling or buying of Fish,
“ shall be void. § 6. [Repealed, 43 Eliz. c. 9. § 33, 34.]

VII. Provided

Continuance.

VII. Provided always, That this Act shall no longer endure than to the End of the next Parliament hereafter ensuing.

[Continued, 3 Car. i. c. 4. § 22. 16 Car. i. c. 4.]

C A P. XI.

An Act for the better Execution of a Statute made in the xxiiith. † Year of the Queen's Majesty's Reign, for the abolishing of Logwood, *alias* Blockwood, in the dying of Cloth, Wool or Yarn (a).

† Sic.

23 Eliz. c. 9.

(a) [Repealed, 13 & 14 Car. 2. c. 11. § 26. 49 G. 3. c. 109. § 1.]

C A P. XII.

An Act for the Explanation of the Statute made the Fifth Year of Her Majesty's Reign, concerning Labourers.

WHEREAS by an Act made in the Parliament holden at Westminster, in the Fifth Year of the Reign of the Queen's most excellent Majesty, intituled, *An Act touching divers Orders for Artificers, Labourers, Servants of Husbandry and Apprentices*, it was provided and enacted by the Authority of the said Parliament, for the Declaration and Limitation what Wages Servants, Labourers and Artificers, either by the Year or Day, or otherwise, should have and receive; that the Justices of Peace of every Shire, Riding or Liberty within the Limits of their several Commissions, or the more Part of them, being then resident within the same, and the Sheriff of that County, if he conveniently may, and every Mayor, Bailiff or other Head Officer within any City or Town Corporate, wherein is any Justice of Peace within the Limits of the said City or Town Corporate and of the said Corporation, should before the Tenth Day of June next coming, and afterward should, yearly at every General Sessions first to be holden and kept after Easter, or at some Time convenient within Six Weeks next following every of the said Feasts of Easter, assemble themselves together, and they (so assembled) calling unto them such discreet and grave Persons of the said County, or of the said City or Town Corporate, as they shall think meet, and conferring together respecting the Plenty or Scarcity of the Time, and other Circumstances necessarily to be considered, should have Authority by Virtue hereof, within the Limits and Precincts of their several Commissions, to limit, rate and appoint the Wages as well of such and so many of the said Artificers, Handicraftsmen, Husbandmen, or any other Labourer, Servant or Workman, whose Wages in Time past hath been by any Law or Statute rated and appointed, and also the Wages of all other Labourers, Artificers, Workmen or Apprentices of Husbandry, which have not been rated, as they the same Justices, Mayors, or Head Officers, within their several Commissions or Liberties, should think meet by their Discretions to be rated, limited or appointed by the Year or by the Day, Week, Month or otherwise with Meat and Drink, or without Meat and Drink, and what Wages every Workman or Labourer should take by the great for Mowing, Reaping or Threshing of Corn and Grain, and for Mowing and Making of Hay, or for

§ Eliz. c. 4.

§ 15.

‘ ditching, pailing, railing or hedging, by the Rod, Perch, Lug,
 ‘ Yard, Pole, Rope or Foot, and for any other Kind of reasonable
 ‘ Labours or Service, and should yearly before the Twelfth Day
 ‘ of July next after the said Assessment and Rates so appointed
 ‘ and made, certify the same, ingrossed in Parchment, with the
 ‘ Considerations and Causes thereof, under their Hands and Seals
 ‘ into the Queen’s most honourable Count of Chancery, to the
 ‘ End that Proclamation should be made in the Name of the
 ‘ Queen’s Majesty, her Heirs or Successors, for the observing of
 ‘ the same Rates in such Sort, Manner and Form as in the said
 ‘ Act more at large is declared: And whereas the said Act hath
 ‘ not according to the true Meaning thereof been duly put in
 ‘ Execution, whereby the Rates of Wages for poor Artificers,
 ‘ Labourers and other Persons, whose Wages was meant to be
 ‘ rated by the said Act, have not been rated and proportioned
 ‘ according to the Plenty, Scarcity, Necessity and respect of the
 ‘ Time, which was politically intended by the said Act: By Reason,
 ‘ Ambiguity and Question have risen and been made, whether the
 ‘ Rating of all Manner Artificers, Workmen and Workwomen,
 ‘ his or their Wages other than such as by some Statute and Law
 ‘ have been rated, or else such as did work about Husbandry,
 ‘ forasmuch as the said Law hath been found beneficial for the
 ‘ Commonwealth:’

II. Be it enacted, That the said Statute, and the Authority by
 the same Statute given to any Person or Persons for assessing and
 rating of Wages, and the Authority to them in the said Act
 committed, shall be expounded and construed, and shall by force of
 this Act give Authority to all Persons having any such Authority
 to rate Wages of any Labourers, Weavers, Spinsters and Workmen
 or Workwomen whatsoever, either working by the Day, Week,
 Month, Year, or taking any Work at any Person or Persons Hand
 whatsoever, to be done. And whereas in divers Shires within this
 Realm, the Justices of Peace have not usually kept their General
 Sessions in one Place of the Shire together, but the General Ses-
 sions have been kept in several Places for several Divisions, by
 Reason whereof the most Part of the Justices of the Peace coming
 not together, nor rating of Wages could well be made in the said
 Shire where such General Sessions have been used: Be it enacted
 by Authority of this present Parliament, That the most Justices
 of Peace, or the more Part of them residing in such Division in
 any Shire within this Realm, where such Sessions have been usually
 severally kept, shall at the same Sessions, or at such Time of rating
 of Wages, as is limited by the said Act made in the Fifth Year of
 her Majesty’s Reign, have as full Authority and Power to rate all
 Manner of Wages to be rated within the Limits of such Division
 in any such Shire, as if the same were done in the General Sessions
 for the said County, or by the most Part of the Justices meeting
 for the rating of Wages by the said Act. And be it further
 enacted, That after the Rates made for Wages, and ingrossed in
 Parchment under their Hands and Seals of them having Autho-
 rity to rate the same, it shall and may be lawful to the Sheriff of
 the said County, or to the Mayor or Chief Officer or Officers of
 any City or Town Corporate, to cause Proclamation to be made of
 the several Rates so rated, in so many Places within their Autho-
 rities as to them shall seem convenient, and as if the same had
 been

been sent down printed by the Lord Chancellor or Keeper, after Declaration thereof to her Majesty, and Certificate of the same into the Queen's most honourable Court of Chancery, and that every Person and Persons shall be bound to observe the said Rates in giving and receiving Wages, upon the Pains and Punishments mentioned in the said Act, and to be recovered or Punishment inflicted, as in the said Act is mentioned.

III. And be it further enacted, That no Person or Persons shall incur any Danger or Penalty, for not making Certificate into the Queen's most Honourable Court of the Chancery, of any Rates or Wages appointed to be certified by the said Act, made in the said Fifth Year of the Queen. But the said Rates, ingrossed in Parchment and sealed as aforesaid, shall, if the same be in any Shire, be kept by the *Custos Rotulorum* of the said County, amongst the Records in his Custody for the said Shire: And in any City or Town Corporate amongst the Records of the said City or Town Corporate. This Act to continue till the End of one Year next after the next Session of Parliament.

[Continued, 1 Jac. 1. c. 25. § 17. 24. 21 Jac. 1. c. 28. § 1. but now expired.]

C A P. XIII.

An Explanation of an Act made in the xi. Year of King H. 7. for Fustians.

11 H. 7. c. 27.
§ 2.

‘ WHEREAS by an Act made in the Eleventh Year of King Henry the Seventh, the Mayor and Wardens of Shearmen of the City of London for the Time being, should have Authority to enter and search the Workmanship of all Manner of Persons occupying the Broad Shear, as well Fustians as Cloth, and the Execution of the said Act for using any Instruments of Iron, or other untrue subtil Mean or Slight in dressing the same: Since which Time, for that the Lord Mayor of London cannot conveniently go in his own Person to make the said Search, by reason of his other weighty Occasions, divers have resisted the Wardens of the Shearmen going abroad in offering to make Search according to the said Law; and for Want of due and daily Search in that Behalf, divers have of late Days put in Ure the Iron Instruments, and other Sleights forbidden by the recited Act, to the great Deceit of her Majesty's People, amongst whom the Wearing of Fustians is lately grown to more Use, as may seem, than ever it was before Time: Which Company of Shearmen, together with the Company of Fullers, were since the said Act made one Company by the Name of Cloth-workers: And so no such Search can be duly made:’ For Remedy hereof,

Mayor and
Clothworkers of
London, &c. may
search.

II. Be it therefore enacted by the Queen's most excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from henceforth it shall and may be lawful to and for the said Lord Mayor of the City of London, or his sufficient Deputy, and to and for the Master and Wardens of the said Mystery of Clothworkers of London, or such discreet Persons as the said Master and Wardens of the said Mystery of Clothworkers for the Time being shall from Time to Time appoint, to enter and make Search, as the said Mayor of London and Wardens of

of Shearmen might have done together, by the said Act in the said Eleventh Year of King *Henry* the Seventh; upon Pain that the Person or Persons which shall make Resistance herein, shall forfeit for every such Resistance, Twenty Shillings of lawful Money of *England*; the one Half to her Majesty, and the other Half to him or them that will sue for the same by Action of Debt, Bill, Plaint or Information, in any of the Queen's Courts of Record where the same may be determined after the Course of the Common Law; and that the Defendant in such Case in no wise be admitted to wage his Law, nor that any Protection or Essoin be in the same allowable.

Penalty.

C A P. XIV.

An Act prohibiting the Bringing into this Realm of Foreign Cards for Wool.

WHEREAS many Thousands of Woollen Card-makers and Card-wiredrawers of the Cities of *London*, *Bristol*, *Gloucester*, *Norwich*, *Coventry*, and of many other her Highness Cities and Towns within this Realm, have heretofore lived and well maintained themselves, their Wives, Families and Children, by the Benefit and Use of their Trade and Faculty of Card-making and drawing of Cardwire within this Realm: And now of late Time, by reason of the common Bringing in of foreign Cards for Wool out of *France*, and other foreign Parts, the said Card-makers and Card-wiredrawers have been so much impoverished, that scant the Twentieth Person that heretofore lived by the said Trades is now maintained and set on Work thereby:

II. Be it enacted by our Sovereign Lady the Queen's Majesty, and by the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That no Person or Persons whatsoever, from or after the Feast-day of the Purification of the blessed Virgin *St. Mary* now next ensuing, shall bring, send or convey, or cause to be brought, sent or conveyed, into this Realm of *England* or *Wales*, from the Parts beyond the Seas, any Cards for Wool to be sold, bartered or exchanged, within the Realm of *England* or *Wales*; upon Pain to forfeit all such Cards for Wool, so to be brought, sent or conveyed contrary to the true meaning of this Act, in whose Hands soever they or any of them shall be found, or the very Value thereof; the one Half whereof to be to our said Sovereign Lady the Queen's Majesty, her Heirs and Successors, and the other Moiety thereof to him or them that will seise the same, or sue therefore in any Court of Record of the Queen's Majesty, her Heirs and Successors, by Action of Debt, Bill, Plaint, Information or otherwise, in which Actions, Suits, Plaints or Informations, no Wager of Law, Essoin or Protection shall be allowed. This Act to endure to the End of the First Session of the next Parliament.

Importing Cards for Wool for Sale.

Penalty.

Continuance.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4. Enforced 13 & 14 Car. 2. c. 19.]

C A P. XV.

An Act, that no Person robbing any House in the Day-time, although no Person be therein, shall be admitted to have the Benefit of his Clergy.

‘ WHEREAS of late Years divers lewd and felonious Persons, understanding that the Penalty of the Robbing of Houses in the Day time (no Person being in the House at the Time of the Robbery) is not so penal, as to commit or do a Robbery in any House, any Person being therein at the Time of the Robbery; which hath and doth embolden divers lewd Persons to watch their Opportunity and Time to commit and do many heinous Robberies, in breaking and entring divers honest Persons Houses, and especially of the poorer Sort of People, who by reason of their Poverty are not able to keep any Servant, or otherwise to leave any Body to look to their House; when they go abroad to hear Divine Service, or from Home to follow their Labour to get their Living, which is to the Hindrance and Loss of good Subjects, and the utter Impoverishing of many poor Widows, sole Women, and other People:’

Robbing a House
in the Day-time
of the Value of
Five Shillings.

II. Be it therefore enacted by our Sovereign Lady the Queen's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, of this present Parliament assembled, That if any Person or Persons after the End of this present Session of Parliament shall be found guilty, and convicted by Verdict, Confession or otherwise, according to the Laws of this Realm, for the felonious taking away, after the Feast of *Easter* now next ensuing, in the Day-time, of any Money, Goods or Chattel, being of the Value of Five Shillings or upwards, in any Dwelling-house or Houses, or any Part thereof, or any Out-house or Out-houses, belonging and used to and with any Dwelling-house or Houses, although no Person shall be in the said House or Out-houses at the Time of such Felony committed; then such Person and Persons shall not be admitted to the Benefit of his or their Clergy, but shall be utterly excluded thereof.

C A P. XVI.

An Act to restrain the excessive Making of Malt.

[*Repeated, 9 & 10 W. 3. c. 22.*]

C A P. XVII.

An Act against lewd and wandering Persons, pretending themselves to be Soldiers or Mariners.

‘ WHEREAS divers lewd and licentious Persons, contemning both Laws, Magistrates and Religion, have of late Days wandered up and down in all Parts of the Realm, under the Name of Soldiers and Mariners, abusing the Title of that honourable Profession to countenance their wicked Behaviours, and do continually assemble themselves weaponed in the Highways and elsewhere, in Troops, to the great Terror and Astonishment of her Majesty's true Subjects, the Impeachment of her Laws, and the Disturbance of the Peace and Tranquillity of this Realm:’

‘ And

* And whereas many heinous Outrages, Robberies and horrible Murders are daily committed by these dissolute Persons; and unless some speedy Remedy be had, many Damages are like by these Means to ensue and grow towards the Commonwealth:*

II. Be it therefore enacted by the Authority of this present Parliament, That all idle and wandering Soldiers or Mariners, or idle Persons, which now are, or hereafter shall be wandering as Soldiers and Mariners, shall settle themselves in some Service, Labour or other lawful Course of Life, without wandering, or otherwise repair to the Places where they were born, or to their Dwelling-places, if they have any, and there remain, betaking themselves to some lawful Trade or Course of Life, as aforesaid; upon Pain that all Persons offending contrary to this Act to be reputed as Felons, and to suffer as in case of Felony, without any Benefit of Clergy to be allowed.

Wandering Soldiers, &c.

III. And be it further enacted, That every idle and wandering Soldier or Mariner which coming from his Captain from the Seas, or from beyond the Seas, shall not have a Testimonial under the Hand of some one Justice of the Peace of or near the Place where he landed, setting down therein the Place and Time when and where he landed, and the Place of his Dwelling or Birth, unto which he is to pass, as aforesaid, and a convenient Time therein limited for his Passage, or, having such Testimonial, shall wilfully exceed the Time therein limited, above Fourteen Days: And also as well every such idle and wandering Soldier or Mariner, as every other idle Person wandering as Soldier or Mariner, which shall at any Time hereafter forge or counterfeit any such Testimonial, or have with him or them any such Testimonial forged or counterfeited as aforesaid, knowing the same to be counterfeited or forged, in all these Cases every such Act or Acts to be Felony, and the Offenders to suffer as aforesaid, without any Benefit of Clergy.

Shall have Testimonials.

Counterfeiting Testimonial.

Felony.

IV. And be it further enacted, That it shall be lawful for the Justices of Assizes, Justices of Gaol-delivery and the Justices of Peace of every County, and for all Justices of Peace in Towns Corporate, having Authority to hear and determine Felonies, to hear and determine all such Offences in their General Sessions, and to execute the Offenders which shall be convicted before them, as in Cases of Felony is accustomed; except some honest Person valued at the last Subsidy next before the Time to Ten Pounds in Goods, or Forty Shillings in Lands, or else some honest Freeholder, as by the said Justices shall be allowed, will be contented before such Justices as such Person shall be arraigned of Felony, to take him or them into his Service for One whole Year then next following, and then before the said Justices will be bound by Recognizance of Ten Pounds, to be levied of his Lands, Goods, Tenements and Chattels, to the Use of our Sovereign Lady the Queen, if he keep not the said Person or Persons for One whole Year, and bring him to the next Sessions for the Peace and Gaol-delivery next ensuing after the said Year: And if any such Person retained depart within the Year, without the Licence of him that so retained him, then to be indicted, tried and adjudged as a Felon, and not to have the Benefit of his Clergy.

Who may determine Offences.

Taking Offender into Service for a Year.

V. Provided always, That if any such idle and wandering Persons as aforesaid, shall happen to fall sick by the Way, so that by reason of

Wanderer falling sick by the Way of

of his Weakness he cannot travel to his Journey's End within the Time limited within his Testimonial, no such to be within the Danger of this Statute, so as he settle himself in some lawful Course of Life, as aforesaid, or repair as aforesaid to the Place where he was born, or was last abiding, within convenient Time after the Recovery of his Sickness, and there remain, as aforesaid; any Thing in this Statute contained to the contrary notwithstanding.

Remedy where
Wanderer can-
not get Work.

VI. Provided also, and be it further enacted, That when any such Soldier or Mariner coming from the Seas, or from beyond the Seas, as aforesaid, shall repair to the Place of his Dwelling or Birth, according to the Purport of the said Testimonial, and cannot of himself get there any Work, whereby to employ himself to Labour or other lawful Course of Life, as aforesaid, that then in all such Cases, upon Complaint made by such Soldier or Mariner to Two Justices of Peace of the said County, of or near the said Place, the said Two Justices shall take Order by their Discretion to set such Soldier or Mariner to some such honest Labour or Work as to them shall be thought meet: And for want of such Work, the said Two Justices shall tax the whole Hundred by their Discretion, for the Relief of such Soldier or Mariner till such sufficient Work may be had.

Hundred taxed.

† *Sic.*

Soldier or Mari-
ner licensed may
ask Relief.

VII. Provided also, That if any such Soldier or Mariner coming from the Seas, or from beyond the Seas as aforesaid, shall not at the Time of his Landing, or in his Travel to the Place whereunto he is to repair as aforesaid, going the direct Way, † (*a*) that then he resort to some Justice of the Peace next adjoining to the said Place of Landing or Way, and make known unto the said Justice his Poverty: Who upon perfect Notice thereof had, shall have full Power and Authority by this present Act to licence the same Soldier or Mariner to pass the next and direct way to the Place where he is to repair, and to limit him so much Time only as shall be necessary for his Travel thither: And that in such Case his licence being so made, and he pursuing the Form of such his licence, shall and may for his necessary Relief in such his Travel, ask and take the Relief that any Person shall willingly give him, and in such Case, his such Travel and taking of Alms as aforesaid, shall not be taken an Offence against this Law. (*a*)

[*There are evidently some conneſſing Words wanting here. See a conjectural Addition, Burn's Hiſt. of Poor Laws, p. 124, 125.*]

No Corruption
of Blood.

VIII. Provided also, That this Act, nor any Thing therein contained, shall extend or be interpreted to make or work any Corruption of Blood in any the Heir or Heirs of any such Offender or Offenders; any Thing in this Act to the contrary notwithstanding.

Continuance,
&c.

IX. Provided also, and be it further enacted, That this Act shall not take any Force or Effect till Forty Days next after the End of this Session of Parliament, and shall continue to the End of the Parliament next ensuing.

[*Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.*]

C A P. XVIII.

An Act for the Reviving, Continuance, Explanation, Perfecting and Repealing of divers Statutes.

“ 21 H. 8. c. 12. 24 H. 8. c. 9. 3 & 4 E. 6. cc. 19. 21. 1 Eliz. c. 17. 8 Eliz. c. 10. 13 Eliz. cc. 20, 21. 8. 14 Eliz. c. 11. 27 Eliz. cc. 11. 4. 7. 27 Eliz. c. 17. Pr. 2 & 3 E. 6. c. 10. 27 Eliz. cc. 14. 24. 31 Eliz. c. 8. 31 Eliz. c. 5. Pr. 35 Eliz. cc. 1. 10, 11. continued until the End of the next Parliament. § 1—29. 41.

‘ XXX. That forasmuch as the said Act made in the said Thirtieth Year of the Queen’s Majesty’s Reign that now is, intituled, *An Act against Usury*;

‘ XXXI. And one other Act of the said Acts made in the Twenty seventh Year of the Queen’s Majesty’s Reign that now is, intituled, *An Act against covinous and fraudulent Conveyances*;

‘ XXXII. And one other of the aforesaid Acts made in the said Seven and twentieth Year of the Queen’s Majesty’s Reign, intituled, *An Act for the levying of Issues lost by Jurors*, are by Proof and Experience found to be very necessary and profitable for the Commonwealth of this Realm: For which Cause, Be it enacted by the Queen’s most excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Three last recited several Acts made in the said Thirteenth and in the Seven and twentieth Years of the Queen’s Majesty’s Reign, and every of them, and all and every the Branches, Clauses and Provisions in them and every of them contained, shall from henceforth be, remain and continue in Force and Effect for ever.

“ 5 Eliz. c. 5. 23 Eliz. c. 6. 18 Eliz. c. 20. as altered by 35 Eliz. c. 7. continued until the End of the next Parliament. § 43.—5 Eliz. c. 7. continued until the End of the next Parliament. § 44.—13 Eliz. c. 19. repealed. § 45.—5 Eliz. c. 2. repealed, as to Tillage; the Remainder continued till the End of the next Parliament. § 46.—14 Eliz. c. 5. 18 Eliz. c. 3. continued until the End of the next Parliament, unless otherwise provided for. § 47.—35 Eliz. c. 4. continued until the End of the next Parliament; unless otherwise provided for. § 48.

C A P. XIX.

An Act for the Amendment of Highways in the Counties of *Suffex, Surrey and Kent*.

[*Repealed*, 7 G. 3. c. 42. § 57. 13 G. 3. c. 78. § 84. 13 G. 3. c. 84. § 86.]

C A P. XX.

An Act against the deceitful Stretching and Tentring of Northern Cloth.

‘ IN most humble and dutiful wise sheweth, beseeching your Highness, your true and faithful Subjects, the Clothiers and Chapmen of your Counties of *York, Lancaster*, and other your Highness

‘ Highness Counties on the North Side of the River of *Trent*,
 ‘ That notwithstanding the many good and wholesome Laws here-
 ‘ tofore made for the true making of good and true Clothes and
 ‘ Kersies, which Laws, either by some Wants in the Statutes
 ‘ already made, or for lack of the due Execution of the said Laws,
 ‘ have not only not restrained the great Abuse in making of Clothes
 ‘ and Kersies, but rather have encreased the same; insomuch that
 ‘ the said Northern Clothes and Kersies do yearly and daily grow
 ‘ worfe and worfe, and are made more light, and much more
 ‘ stretched and strained, than heretofore they have been, to the
 ‘ great Deceit of all Nations where the said Clothes and Kersies
 ‘ are sold, and to the great Shame and Slander of the Country
 ‘ where the same is made, and within short Time like utterly to
 ‘ overthrow the Trade of Cloth-making in those Countries,
 ‘ whereupon so many Thousands of your Subjects do now live
 ‘ and are maintained: Which great Enormities your faithful Sub-
 ‘ jects do chiefly impute to the great Number of Tenters and other
 ‘ Engines daily used and practised in the said Counties for the
 ‘ stretching and straining of the said Clothes and Kersies:’ For
 Remedy and Redrefs whereof, &c.

[*Repealed*, 49 G. 3. c. 109. § 1.]

C A P. XXI.

43 Eliz. c. 4.

† *Sic*.

An Act for the further Continuance and Explanation of an
 Act for the necessary Relief of Soldiers and Mariners,
 made in the xxxv th † Year of the Queen’s Majesty’s Reign
 that now is.

[*Continued*, 43 Eliz. c. 3. § 1. 43 Eliz. c. 9. § 29. but now
expired.]

C A P. XXII.

An Act for the Establishing of the Bishoprick of *Norwich*,
 and the Possessions of the same, against a certain pre-
 tended concealed Title thereunto.

27 H. 8. c. 17.
 Pr.

‘ **W**HERE, in the Twenty seventh Year of the Reign of the
 ‘ late King of famous Memory, King *Henry* the Eighth,
 ‘ it was enacted by Authority of Parliament, That such Person
 ‘ as should then next after be Bishop of the See of *Norwich*, being
 ‘ then void, and his Successors Bishops of the said See, should have
 ‘ and enjoy united and knit to the said Bishoprick, the Monastery
 ‘ of *St. Benets*, in the County of *Norfolk*, and all the Possessions of
 ‘ the same: And where, *William Ruge* was next Bishop of the
 ‘ said See, and by force of the said Act was seized to him and his
 ‘ Successors in Fee Simple, of and in the said Monastery, and the
 ‘ Possessions of the same: And afterward *William* by the Name
 ‘ of *William* by the Permission of God Bishop of *Norwich*, true
 ‘ and undoubted Patron of the Hospital of *Saint Giles* in *Norwich*,
 ‘ and *Nicholas Shaxton*, Master or Guardian of the said Hospital,
 ‘ and the Brethren of the same by their Deed, bearing Date the
 ‘ Sixth Day of *March* in the First Year of the late King *Edward*
 ‘ the Sixth, and in due Form of Law acknowledged and inrolled,
 ‘ did give, grant and confirm to the said King *Edward* the Sixth,
 ‘ his Heirs and Successors, the said Hospital, and the Possessions
 ‘ and

‘ and Hereditaments belonging to the same, as by the said Deed
 ‘ and Inrolment thereof may appear: By force whereof the said
 ‘ King *Edward* the Sixth was, of the said Hospital, and the
 ‘ Possessions of the same, seized in his Demesne as of Fee in the
 ‘ Right of his Crown of *England*: And so seized, disposed of the
 ‘ same as to his Highness did seem good, ever since which said
 ‘ Grant, and since the said Statute made in the said Twenty seventh
 ‘ Year of King *Henry* the Eighth, the said Bishop of *Norwich* and
 ‘ his Successors have had and enjoyed the said Bishoprick, and the
 ‘ said late Monastery of *St. Benets*, and all the Possessions and
 ‘ Hereditaments late belonging to the same Monastery or Bishop-
 ‘ rick, and have and yet do maintain their Estates of and by the
 ‘ Revenues of the same, and therout of have ever since paid unto
 ‘ King *Edward* the Sixth, Queen *Mary*, and to the Queen’s Ma-
 ‘ jesty that now is, and yet do pay unto her Majesty First Fruits,
 ‘ Tenths and Subsidies, as all other the Bishops of the Realm have
 ‘ done, and have demised, let and set divers the Possessions of the said
 ‘ Bishoprick, late the Possessions of the said late Monastery, to our
 ‘ Sovereign Lady the Queen’s Majesty, and to sundry others for
 ‘ divers Estates, Interests, and Terms of Years, which said Interests
 ‘ are by many several Conveyances passed from Hand to Hand to
 ‘ very many her Majesty’s dutiful Subjects, whose whole Livel-
 ‘ hood, or a great Part thereof, dependeth thereupon; yet certain
 ‘ Persons of a greedy and covetous Desire to enrich themselves,
 ‘ have to the great Deceit of her Highness, to the Impeachment of
 ‘ the said Bishoprick, and to the unjust Disturbance of the Bishops
 ‘ of the same See, their Tenants and Farmers, obtained of her
 ‘ Majesty (little suspecting their evil Intention) a Grant in Fee
 ‘ Farm by her Letters Patents, bearing Date the Second Day of
 ‘ *August* in the Twenty seventh Year of her happy Reign, of all
 ‘ or the most Part of the Possessions of the said Bishoprick under
 ‘ the Name of a Cottage, and of all Lands, Tenements, Tithes and
 ‘ Hereditaments, with the Appurtenances within the Deanries of
 ‘ *Flegg, Brook, Warham, Blofield, Repes* and *Deerpewade*, or any of
 ‘ them in the County of *Norfolk*, to the late Monastery of *St. Benets*
 ‘ of *Hulme* belonging and appertaining at or under the yearly
 ‘ Rent only of xl s. by Year, as by the said Letters Patents may
 ‘ appear, pretending now that the said Possessions of the said
 ‘ Bishoprick, which were as aforesaid first the Possessions of the said
 ‘ Monastery, were by the said *William* late Bishop of *Norwich*, by
 ‘ some general Words conveyed to King *Edward* the Sixth, his
 ‘ Heirs and Successors, by the aforesaid Deed, dated the Sixth
 ‘ Day of *March* in the First Year of his Reign: Whereas indeed
 ‘ he the said Bishop joined with the said Master and Brethren, as
 ‘ Patron of the said Hospital only, to strengthen the said Grant of
 ‘ the said Hospital, and the Possessions thereof, and not intending
 ‘ any Way to touch any the Possessions of the said Bishoprick,
 ‘ Which said Grant being so indirectly against the gracious Mean-
 ‘ ing of our said Sovereign Lady, and without Consideration other
 ‘ than as aforesaid obtained, they the said Concealers have con-
 ‘ veyed the said Premises, or some Part thereof unto others not
 ‘ ignorant of the said Fraud and ill Practice, who have by Colour
 ‘ of the said pretended Title, attempted to trouble the Possession of
 ‘ divers the Tenants and Farmers of the said Bishoprick: For
 ‘ Remedy whereof, and because it is most manifest, that neither
 ‘ the

Letters Patent
 2d August.
 27 Eliz.

‘ the said *William* late Bishop by the said Deed, made in the said
 ‘ First Year of the Reign of King *Edward* the Sixth, did mean to
 ‘ give or grant, or the said King *Edward* the Sixth thereby to have
 ‘ or take any Part of the Possessions aforesaid, of the said Bishop
 ‘ rick, neither yet her Majesty took any Knowledge of any such
 ‘ pretended Title, neither meant to pass any such to the said Con-
 ‘ cealers; and yet some Trouble may arise by Colour of the said
 ‘ pretended Title:’

II. Be it therefore enacted by our said Sovereign Lady the Queen’s Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Deed dated the Sixth Day of *March*, in the said First Year of the Reign of the said King *Edward* the Sixth, shall be taken, construed and adjudged, not to have conveyed to the said King, his Heirs and Successors, any Manors, Lands, Tenements, Services, Rents, Rectories, Tithes, Advowsons, Liberties or Hereditaments whatsoever of the said late Monastery of *Saint Benets*, alias *Saint Benets* of *Hulme*, or of the said Bishoprick, or belonging thereunto, or to either of them: But that the same and every Part thereof shall be deemed and adjudged to have remained, continued and been in the said *William* then Bishop of the said See, and his Successors, and shall at all Times for ever hereafter remain, continue and be, and so be adjudged to remain, continue and be in the now Bishop of the said See, and his Successors for ever, of such and the like Estate and in such Manner, Form and Condition, to all Intents, Constructions and Purposes, as if the said Deed had never been had ne made.

III. Provided that this Act shall not extend to the said now or late Hospital, nor any Lands, Tenements, Rents and Hereditaments, Goods, Chattels, Rights or Credits, now or late belonging to the same, nor to the Patronage thereof, nor to any Thing whereof or whereto the said late Master or Guardian, and Brethren of the said late Hospital, were seized, possessed or intitled, but that the said Deed as to the same and every Part thereof, shall be good and effectual in Law to all Intents and Purposes, as if this Act had never been had nor made, any Thing aforesaid to the contrary notwithstanding: Saving to all Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, Executors, Administrators and Assigns, other than the said late King *Edward* the Sixth, Queen *Mary*, the Queen’s Majesty that now is, their and every their Heirs, Successors and Assigns, claiming any the said Possessions of the said late Monastery, or of the said Bishoprick by force, virtue or colour of the said Deed, made to the said late King *Edward* the Sixth, all Estates, Interests, Rights, Titles, Claims, Conditions, Services, Rents and Demands whatsoever, as if this Act had never been had or made.

IV. Provided always, and be it enacted, That all and singular Statutes, Recognizances, Bonds, Covenants and Agreements heretofore had or made, to or with the said Patentees in the said Letters Patents named or any of them, or to or with any other Person or Persons claiming by, from or under them or any of them, being Parties, or Privy to the said Practice or Fraud, for or concerning any of the said Lands, Tenements or Hereditaments now or heretofore Parcel of the said Bishoprick, shall be utterly void, for any Matter or Thing touching or concerning only the same Lands,
 Tenements

Tenements and Hereditaments, or any Part thereof, now or heretofore Parcel of the said Bishoprick.

C A P. XXIII.

An Act for the Repairing of the Bridges of *Newport* and *Carlion*, in the County of *Monmouth*.

C A P. XXIV.

An Act for the Erecting and Building of a Bridge over the River of *Wye*, at *Wilton* upon *Wye*, near the Town of *Rosse*, in the County of *Hereford*.

C A P. XXV.

An Act for Enlarging of the Statute made for following Hue and Cry, in the xxvii th. † Year of Her Majesty's Reign, in some Sort to relieve the Inhabitants of the small Hundred of *Beynersb*, alias *Benbursh*, in Cafes where they are in no voluntary Default, and yet are or shall be charged by the same Statute, and by the Two ancient Statutes; the one made the xiii th. † Year of King *Edward* the First (a); the other in the xxviii th. † Year of King *Edward* the Third (b), for repressing of Robberies

† Sic.

† Sic.

† Sic.

(a) [13 E. 1. Stat. Wynt. c. 1.]

(b) [28 E. 3. c. 11.]

IN most humble wise beseecheth your most excellent Majesty the poor Inhabitants of the Hundred of *Beynersb* alias *Benbursh*, within the County of *Berks*, That whereas the said Hundred doth consist only of Five small Villages, and Three small Quillets or Hamlets, and hath lying through it Two great Road Highways; the one leading from *London* to *Henley* upon *Thames*, the other from *London* to *Reading*; and either of them at the least Three Miles in Length, within the great woody Ground called the Thicket, and no one of the same Villages standeth upon or adjoining to either of the said Ways, but lie disperdely far from the same: Neither have the Inhabitants of the same Hundred any open or common Fields, either Arable or other, adjoining or lying near to such Parts of the same Way (within the said Thicket) as are most apt for Robberies to be done, whereby they may have their Servants or Workmen labouring within the View of the same Ways, to take Notice of the Robberies done; and therefore the said Inhabitants cannot well have any speedy Notice or Intelligence of any Robbery which shall be there committed, unless the Party or Parties robbed should give the same unto them: And the several Lengths and Manner of the Lying of the same Ways are such, as all the able Men of the same small Hundred cannot so watch the same several Ways, as that thereby Robberies may be prevented: And whereas also Notice of such Robberies as have been of late Years done there, have been for the most Part given by the Party robbed, at the Town of *Maidenhead*, which is out of that Hundred, and Three Miles distant from the aforesaid thievish Places in the Thicket where the Robberies are most usually done, and yet upon such Notice of Robberies

‘ Robberies given at *Maidenhead* aforesaid, being out of the Hundred, there hath been lately, within one Year, the Sum of Twelve score and fifteen Pounds recovered upon the aforesaid Statutes, against the small Hundred of *Beynersfb*, alias *Benhurst*, which had no Notice of the same Robberies, whereby many of the poor Inhabitants thereof have been and are utterly impoverished, to the utter Ruin and Overthrow of them, their Wives and Children; and many other the like Extremities may, by the aforesaid Statutes, fall upon them, though it lieth not in their Power (as well for want of Notice as otherwise) to perform the same Statutes; so as the Inhabitants thereof are like to be generally impoverished, or enforced to remove their Dwellings into some other Hundred, without some Relief shall be for them in that Behalf provided:’ That it may be enacted by the Authority of this present Parliament, That the Inhabitants of the said Hundred of *Beynersfb*, alias *Benhurst*, shall and may to their own proper Use, in the Name of the Clerk of the Peace of the said County of *Berkshire*, recover, have and levy all such Sums of Money, Costs and Damages, as hereafter shall be recovered or levied of or against them by the aforesaid Statutes, or any of them, against the Inhabitants or Resiants of every or any such Hundred, with the Franchises within the Precincts thereof, wherein Negligence, Fault or Defect of such Pursuit and fresh Suit, as by the said Statute of the Seven and twentieth Year of your Majesty’s Reign is appointed to be made, shall happen to be, after Notice given or Hue and Cry brought to the same Inhabitants or Resiants, or any of them, of or upon any Robbery which shall be at any Time hereafter done within the said Hundred of *Beynersfb*, alias *Benhurst*: And that this present Act shall give as full Power and Authority in all Respects, to the Inhabitants of the said Hundred of *Beynersfb*, alias *Benhurst*, in the Name of the Clerk of the Peace of the said County, for recovery, having and levying, of all the said Money, Costs and Damages as aforesaid, as the aforesaid Statute of the Seven and twentieth Year of your Majesty’s Reign, gave or intended to give for the Recovery of a Moiety or one Half thereof.

Remedy for Inhabitants of Benhurst.

27 Eliz. c. 13.

Provida.

II. Provided always, and it is enacted by the Authority aforesaid, That no such Remedy or Recovery shall be had by this Statute, for all or the whole Sum or Sums of Money and Damages as aforesaid, but only in these Two Cases, *viz.* The one where no such Notice or Intelligence (as by the said Statute of the Seven and twentieth Year of your Majesty’s Reign, was appointed to be given of every or any Robbery) shall be given to the Inhabitants of the said Hundred of *Beynersfb*, alias *Benhurst*: The other, where the Inhabitants of the same Hundred (after such Notice of any Robbery to them or some of them given, or after Hue and Cry to them for the same brought) shall make or cause to be made fresh Suit and Pursuit after the Offenders, with Horsemen and Footmen, according to the said Statute of the Seven and twentieth Year of your Majesty’s Reign, and where nevertheless the Offenders, or any or one of them, shall not be apprehended within Forty Days after the Robbery committed.

27 Eliz. c. 13.

C A P. XXVI.

An Act for Confirmation of the Subsidies granted by the Clergy. EXP.

C A P. XXVII.

An Act for the Grant of Three entire Subsidies, and Six Fifteens and Tenths, granted by the Temporality. EXP.

C A P. XXVIII.

An Act for the Queen's Majesty's most gracious, general and free Pardon.

[*This Act is Number 26 on the Roll of Public Acts. cc. 26, 27. are not upon the Roll.*]

Anno quadregesimo tertio Reginæ ELIZABETHÆ.
(A.D. 1601.)

STATUTES made in the Parliament begun and bolden at Westminster the Seven and twentieth Day of October in the Three and fortieth Year of the Reign of our most gracious and excellent Sovereign Lady ELIZABETH, by the Grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c. and there continued until and on the Nineteenth Day of December following; viz.

C A P. I.

An Act for Confirmation of Grants made to the Queen's Majesty, and of Letters Patents made by Her Highness to others.

EXP.

IN most humble wise beseechen your most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this your Highness Parliament assembled, That whereas sithence the Eighth Day of February, in the Five and twentieth Year of your Majesty's Reign, divers and sundry Honours, Castles, Manors, Lands, Tenements, Rents, Reversions, Services and other Hereditaments, have been conveyed and assured to your Highness, your Heirs and Successors, by and from divers and sundry Persons and Bodies Politick, as well for the Discharge and Satisfaction of great Debts and Sums of Money, as for other good Considerations: That for the better Assurances, Confirmation and Surety thereof, it may be enacted by Authority of this present Parliament, That all Feoffments, Fines, Surrenders, Assurances, Conveyances

Assurances to or for the Queen of Lands, &c. and Letters Patents

made by the
Queen,
confirmed.

Exception.

General Saving.

Conveyances and Estates, in any wise conveyed, had or made to or for your Highness, by or from any Person or Persons, Bodies Politick or Corporate, sithence the said Eighth Day of *February*, in the Five and twentieth Year of your Majesty's Reign, of any Honours, Castles, Manors, Lands, Tenements, Rents, Reversions, Services and other Hereditaments, for any Debt, Sum or Sums of Money, or other Consideration whatsoever (other than Conveyances or Estates heretofore had or made by any Ecclesiastical Person or Persons, or Bodies Politick or Corporate, not having Power or Ability by the Laws and Statutes of this Realm to make the same) shall stand, remain and be good and available in the Law, to all Intents, Constructions and Purposes, according to the true Meaning, Intent and Purport of the same :

II. Saving to all and every Person and Persons, and to their Heirs, Bodies Politick and Corporate, and to their Successors, and every of them (other than such Person or Persons, and their Heirs and Wives, being Parties or Privies to such Conveyances or Assurances, and every of them, Bodies Politick and Corporate, and their Successors, and every of them, of or from whom the Queen's Highness hath had, obtained or purchased any Manors, Messuages, Lands, Tenements, Rents, Reversions, Services or Hereditaments, by Exchange, Gift, Bargain, Fine, Feoffment, Recovery, Deed inrolled or otherwise), all such Right, Title, Interest, Use, Possessions, Rents, Reversions, Remainders, Offices, Fees, Commons, Profits and Commodities whatsoever, which they or any of them have, might or ought to have had, of, in or to the Premises, or any Part thereof, in as large and ample Manner, Form and Condition, to all Intents, Constructions and Purposes, as if this Act had never been had ne made; this present Act or any Thing therein contained to the contrary notwithstanding.

III. And whereas your excellent Majesty, sithence the said Eighth Day of *February*, in the Five and twentieth Year of your Highness Reign, as well for divers and great Sums of Money, as also for divers and sundry other Considerations, hath bargained, sold, given and granted, by your Highness sundry Letters Patents, Indentures or other Writings, sealed under the Great Seal of *England*, or the Seal of the Duchy of *Lancaster*, or the Seal of the County Palatine of *Lancaster*, as well to Bodies Politick and Corporate, as to divers and sundry other your Highness loving and obedient Subjects, divers and sundry Honours, Manors, Lands, Tenements, Rents, Reversions, Services and other Hereditaments, in Fee Simple, Fee Tail or for Term of Life, Lives or Years, as in the same several Letters Patents, Indentures and other Writings is mentioned and declared, That to the Intent the same Letters Patents, Indentures and other Writings may be of good, available and perfect Force and Effect to all and every your Highness loving Subjects, according to the true Meaning and Effect of the same : It may please your most excellent Majesty that it may be enacted by Authority of this present Parliament, That as well and singular Letters Patents, Indentures and other Writings sealed under the Great Seal of *England*, or under the Seal of the Duchy of *Lancaster*, or the Seal of the County Palatine of *Lancaster*, heretofore made and granted by your Highness for any Sums of Money, or for and upon any other

A Sale of the
Queen's Lands
to be made by
force of a Com-
mission in being.

Considerations,

Considerations, sithence the said Eighth Day of *February*, in the Five and twentieth Year of your Highness Reign, as all other Letters Patents hereafter to be made by your Highness, for any Sum or Sums of Money, or other Considerations, before the last Day of this present Session of Parliament: And moreover, all other Letters Patents within the Space of one Year then next ensuing, to be made by Force of or according to the Purport or true Meaning of the Commission under the Great Seal of *England*, now in being, for Sale of your Highness Lands to any Body Politick or Corporate, or to any other Person or Persons whatsoever, of any Honours, Castles, Manors, Lordships, Graunges, Meases, Lands, Tenements, Meadows, Pastures, Rents, Reversions, Services, Woods, Advowsons, Nominations, Patronages, Annuities, Rights, Interests, Entries, Conditions, Leets, Courts, Liberties, Privileges, Franchises, or of any other Hereditaments with their Appurtenances, or of any Part or Parcel of them, sealed with or under the Great Seal of *England*, or under the Seal of the Duchy of *Lancaster*, or the Seal of the County Palatine of *Lancaster*, of whatsoever Kind, Nature or Quality they or any of them be, or shall be reputed, known or taken, with their Appurtenances, or any Part or Parcel of them, shall be good, perfect and effectual in the Law, and shall stand, be taken, reputed, deemed and adjudged good, perfect, sure, available and effectual in the Law, against your Highness, your Heirs and Successors, according to the Tenor and Effect of the said Letters Patents, Indentures or other Writings; the same to be expounded, construed, deemed and adjudged most beneficially for the Patentees and Grantees of the same, and their Heirs, Assigns, Executors and Administrators, according unto the Words and Purport of every the said Letters Patents, Indentures or other Writings, without any Confirmation, Licence or Toleration of your Highness, your Heirs or Successors; any Misnaming, Misrecital or Nonrecital of any the same Honours, Castles, Manors, Lands, Tenements and other Premises, or of any Parcel thereof; or any lack of finding of Offices or Inquisitions, of and in the Premises or any Part thereof, whereby the Title of your Highness therein ought to have been found before the making of the same Letters Patents, Indentures or other Writings; or any Misrecital or Nonrecital of Leases thereof made, as well of Record, as not of Record; or any Misrecital, Nonrecital or not true mentioning in any such Letters Patents, Grants or Writings, of your Majesty's own Estate or Estates, either of Freehold or Inheritance, of or in the Premises, or any Part thereof, whereunto your Majesty hath been sithence the Beginning of your Reign or hereafter shall be intituled, by any Attainder, Eicheat, Conveyance or Assurance whatsoever, and in which Letters Patents, Grants or Writings, no Estate-tail formerly made, or supposed to be made, have been or shall be recited, and the Reversion or Remainder thereupon expectant in the same Letters Patents, Grants or Writings granted or mentioned to be granted; or any lack of the Certainty, Miscasting, rating or setting forth of the yearly Value and Rate of the Premises, or of the yearly Rents reserved of and for the Premises, or any Parcel thereof, mentioned or contained in any of the said Letters Patents or other Writings; or for that the Premises be, or any Part thereof, is valued at a more or less Value in the said Letters Patents or Writings than

How Letters
Patents shall be
expounded.

the

the said Manors, Lands, Tenements and other the Premises then were or shall be in yearly Value; or any misnaming or not true naming of the Towns, Hamlets, Parishes or Counties where the same Honours, Manors, Lands, Tenements, Rents, Hereditaments and other the Premises, and every Parcel thereof, or any Parcel thereof, lien or been; or any Lack of the true naming of the Lands, Tenements or Hereditaments, or of the Natures, Kinds, Sorts, Qualities or Quantities of the said Possessions or Hereditaments, or any Parcel thereof; or any lack of the true naming of the Corporation; or any Lack of Attornment, Livery or Seisin; or of any misnaming of any the late Tenants or Farmers of the same Honours, Manors, Lands, Tenements and Hereditaments, or any Part thereof so sold, granted or given; or of any misnaming of such Person or Persons, Bodies Politick or Corporate, as at any Time before the making of such Letters Patents were or shall be Owners of the Premises, or any Part thereof, to the contrary notwithstanding.

Letters Patents
of Offices.

IV. Provided, That this Act, nor any Thing therein contained, shall not extend to make any Letters Patents of any Office or Offices to be of any other Effect, Force or Strength than the same Letters Patents were or should have been before the making of this Act.

Provide.

V. Provided also, That all and singular such Patentees, Grantees and Donees, and every of them, which at any Time heretofore, sithence the Eighth Day of *February*, have obtained and gotten of your Highness, or at any Time hereafter, before the last Day of this Session of Parliament, or within the Space of One Year then next ensuing, shall obtain and get of your Highness by way of Exchange, or for any Sum or Sums of Money, or other Considerations, any Letters Patents of any Manors, Lands, Tenements or Hereditaments whatsoever, which at the Date of the said Letters Patents were or shall be of better and more yearly Value to your Highness, and so answered in yearly Rent and Farm, than was, is or shall be contained, mentioned and specified in any such Letters Patents, or in the Particulars or Rates thereof, made or to be made by any Auditor or Auditors, Surveyor or Surveyors, or other Officer; that then every such Patentee, Grantee or Donee, their Heirs, Executors or Assigns, and every of them, within One Year next after Office, or other due Proof, Order and Decree thereof, made and had, or to be made or had within the Space and Term of Ten Years next after the End of this present Session of Parliament, in the Court of the Exchequer, shall content and pay unto your Highness, your Heirs and Successors, for the same Overplus and more Value of the same Manors, Lands, Tenements and other Hereditaments whatsoever, with their Appurtenances, so sold, given, granted or exchanged as is aforesaid, after the Rate of Threescore Years Purchase, and according to such yearly Value and Rate as the same Manors, Lands, Tenements and other Hereditaments whatsoever were of, and were answered for at the Time of the making of any such Letters Patents, so made or to be made in Manner and Form aforesaid; any Thing contained in any such Letters Patents to the contrary in any wise notwithstanding.

Recompence for
Overplus of
Lands sold by
the Queen.

Grants where
Act doth not
extend.

VI. Provided also, That this Act, or any other Proviso therein contained, shall not in any wise extend to confirm, ratify or make good

good any Lease or Leases made or to be made by your Highness for Term of Life, Lives or for Years, whereupon the old and accustomed Rents, or more, or as much in Value, or more proportionably, for the Lands and Tenements so demised or to be demised, be not, or hereafter shall not be reserved and yearly payable during the Time and Term of every such Lease; nor that this present Act shall in any wise extend to revive and make good any Letters Patents made of any Office or Offices, to any Comptroller, Customer, Aulneger, Searcher; nor to any Letters Patents of the Grant of any other Office or Offices heretofore granted or made by your Highness, which now be, or at any Time heretofore have been annihilated, determined or made void, by Judgment, by Authority of Parliament, or by Decree; nor to any Patents to be made to any Person or Persons for Term of Years; or during the Minority of any Heir, of any Minors, Lands or Tenements, whereof any Traverse hereafter shall be tendered within Three Months after any Office found and certified into any your Highness Courts of Record; ne to make any Letters Patents made by your Highness of any Office or Offices, to be of any other Effect, Force or Strength than the same Letters Patents were or should have been before the making of this Act.

VII. Provided also, That this Act, or any Thing therein contained, shall not extend to any Letters Patents, or any Gift or Grant therein contained, which at any Time heretofore have been, or hereafter before the last Day of this present Session of Parliament shall be made by your Highness, to any Person or Persons, of any Manors, Lands, Tenements, Rents, Reversions, Services or other Hereditaments, by force of any Information, Suit or Suggestion made or to be made to your Highness, that the same Manors, Lands, Tenements and other Hereditaments so contained in any such Letters Patents, were concealed Lands, or that the same or the Profits thereof were unjustly withholden from your Highness, but that the same Letters Patents, and every of them, shall stand, remain and be in the same Force, Strength and Effect, as they were before the making of this Act any Thing in this Act mentioned to the contrary notwithstanding.

Patents of concealed Lands.

VIII. And yet nevertheless, Be it declared and enacted by Authority of this present Parliament, That no Letters Patents, nor any Gift or Grant in them contained, made or to be made by Warrant of your Majesty's Commissioners, authorized to make Compositions with your Highness Subjects for new Letters Patents or Grants to be made unto them, are or ought to be taken, or should be deemed and taken, to be made by force of any Information, Suit or Suggestion, that the Manors, Lands, Tenements or other Hereditaments contained in the same Letters Patents were concealed Lands, but that they and every of them shall be within the full Meaning of this Act, to be fortified and made good as other Letters Patents (made without any Suggestion or Information of Concealment or unjust withholding) been.

Patents made by Warrant of Commissioners authorized to make Composition.

IX. Provided always, That this Act, nor any Thing herein contained, shall extend or be taken to make good any Letters Patents, Indentures or other Writings, or any Grant in them or any of them contained, which heretofore have been adjudged or decreed to be void in any of your Majesty's Courts of Record at Westminster.

Proviso as to void Patents.

Monopolies.

Patents touching
Penal Statutes.

Act, or by Act of Parliament; nor to make good any Letters Patents, or any Grant in them or any of them contained, of or concerning Licences, Powers or Privileges, commonly called *Monopolies*; nor to make good any Letters Patents or Grants of or concerning Power, Licence, Liberty or Authority given for Execution of any Penal Statute or Statutes, or for Toleration or Dispensation of, to or with any Offence prohibited by any Penal Statute or Statutes; nor to make good any Letters Patents to *William Kirkham*, Gentleman, or to any other by his Procurement, concerning which there hath been any Act of Parliament made heretofore, or any Suit in your Majesty's Court of Star Chamber or Chancery.

General Saving.

X. Saving to all and every other Person or Persons, and Bodies Politick and Corporate, their Heirs and Successors, and every of them, all such Right, Title, Interest, Possession, Estate, Leases, Rents, Services, Commons and all other Profits and Commodities whatsoever, as they or any of them should or might have had before the Letters Patents thereof made, as if this Act had never been had ne made; any Thing therein contained to the contrary notwithstanding.

Patents of Lands
where Estate-tail
is the Queen.

XI. Provided always, That this Act, or any Thing therein contained, shall not extend to make good or available in Law any Letters Patents or Grant of the Premises, or any Part thereof, whereof there was or shall be any good and lawful Estate Tail, heretofore made by your Majesty, or any of your Progenitors, or hereafter to be made by your Majesty, unless such Estate Tail be duly recited.

Bakewell, Har-
tington, Row-
cester, Blower.

XII. Provided always, and be it enacted by the Authority aforesaid, That neither this Act, nor any Thing therein contained, shall extend to make good any Letters Patents heretofore made by your Majesty, sitence the Five and twentieth Year of your Highness' Reign, to any Person or Persons, and their Heirs, for and concerning the Manors, Granges, Lands, Tenements, Tithes and other Hereditaments whatsoever, set, lying and being in the several Parishes of *Bakewell* and *Hartington*, in the County of *Darby*, and in the several Parishes of *Rowcester* alias *Rocheester* and *Blower*, in the County of *Stafford*, mentioned or intended to have been conveyed unto *Francis* late Earl of *Shrewsbury* by the late King of famous Memory, King *Henry* the Eighth, by his Highness' Letters Patents, bearing Date at *Westminster* the Two and twentieth Day of *November*, in the Three and thirtieth Year of the Reign of the said late King; but for and concerning all other Manors, Lands, Tenements and Hereditaments contained in any such Letters Patents made since the said Five and twentieth Year of your Majesty's Reign, the same shall be within the Remedy and Provisions of this present Act of Parliament, according to the Purport, true Intent and Meaning of the same.

Leases made to
the Queen by the
Bishop of Carlisle.

XIII. Provided always, That neither this Act, nor any Thing therein contained, shall extend to the ratifying or making good of any Lease, made by *John May* late Bishop of *Carlisle* deceased, to your Majesty, which was not enrolled before the First Day of this Session of Parliament.

C A P. II.

An Act for the Relief of the Poor.

BE it enacted by the Authority of this present Parliament, That the Churchwardens of every Parish, and Four, Three or Two substantial Householdiers there, as shall be thought meet, having respect to the Proportion and Greatness of the same Parish and Parishes, to be nominated yearly in *Easter* Week, or within One Month after *Easter*, under the Hand and Seal of Two or more Justices of the Peace in the same County, whereof one to be of the *Quorum*, dwelling in or near the same Parish or Division where the same Parish doth lie, shall be called Overseers of the Poor of the same Parish: And they, or the greater Part of them, shall take Order from Time to Time, by and with the Consent of Two or more such Justices of Peace as is aforesaid, for setting to work the Children of all such whose Parents shall not by the said Churchwardens and Overseers, or the greater Part of them, be thought able to keep and maintain their Children; and also for setting to work all such Persons, married or unmarried, having no Means to maintain them, and use no ordinary and daily Trade of Life to get their Living by: And also to raise weekly or otherwise (by Taxation of every Inhabitant, Parson, Vicar and other, and of every Occupier of Lands, Houses, Tithes impropriate, Propriations of Tithes, Coal Mines or saleable Underwoods in the said Parish, in such competent Sum and Sums of Money as they shall think fit) a convenient Stock of Flax, Hemp, Wool, Thread, Iron and other necessary Ware and Stuff, to set the Poor on work, and also competent Sums of Money for and towards the necessary Relief of the Lame, Impotent, Old, Blind, and such other among them, being poor and not able to work, and also for the putting out of such Children to be Apprentices, to be gathered out of the same Parish, according to the Ability of the same Parish, and to do and execute all other Things, as well for the disposing of the said Stock as otherwise concerning the Premises, as to them shall seem convenient.

Overseers for the Poor.

Their Duty.

[For Powers of Overseers where no Churchwardens, 17 G. 2. c. 38. § 15.]

II. Which said Churchwardens and Overseers so to be nominated, or such of them as shall not be let by Sickness or other just Excuse, to be allowed by Two such Justices of Peace or more as is aforesaid, shall meet together at the least once every Month in the Church of the said Parish, upon the *Sunday* in the Afternoon after Divine Service, there to consider of some good Course to be taken, and of some meet Order to be set down in the Premises; and shall within Four Days after the End of their Year, and after other Overseers nominated as aforesaid, make and yield up to such Two Justices of Peace as is aforesaid, a true and perfect Account of all Sums of Money by them received, or rated and fessed and not received, and also of such Stock as shall be in their Hands, or in the Hands of any of the Poor to work, and of all other Things concerning their said Office (a); and such Sum or Sums of Money

Overseers to meet once every Month.

Overseers' Account.

(a) [Further Regulations as to Overseers Accounts, 17 G. 2. c. 38. § 15. 2; and see 50 G. 3. c. 49.]

Negligence, &c.

Penalty.

Where Parish
not able to relieve
Poor.

Distress.

Refusing to work.

Churchwardens
refusing to
account.

Apprentices.

as shall be in their Hands: shall pay and deliver over to the said Churchwardens and Overseers newly nominated and appointed as aforesaid; upon Pain that every one of them absenting themselves, without lawful Cause as aforesaid, from such Monthly Meeting for the Purpose aforesaid, or being negligent in their Office, or in the Execution of the Orders aforesaid, being made by and with the Assent of the said Justices of Peace, or any Two of them before mentioned, to forfeit for every such Default of Absence or Negligence Twenty Shillings.

III. And be it also enacted, That if the said Justices of Peace do perceive that the Inhabitants of any Parish are not able to levy among themselves sufficient Sums of Money for the Purposes aforesaid, that then the said Two Justices shall and may tax, rate and assess as aforesaid any other of other Parishes, or out of any Parish, within the Hundred where the said Parish is, to pay such Sum and Sums of Money to the Churchwardens and Overseers of the said poor Parish for the said Purposes, as the said Justices shall think fit, according to the Intent of this Law: And if the said Hundred shall not be thought to the said Justices able and fit to relieve the said several Parishes not able to provide for themselves as aforesaid, then the Justices of Peace at their General Quarter-Sessions, or the greater Number of them, shall rate and assess as aforesaid, any other of other Parishes, or out of any Parish, within the said County, for the Purposes aforesaid, as in their Discretion shall seem fit.

IV. And that it shall be lawful, as well for the present as subsequent Churchwardens and Overseers, or any of them, by Warrant from any Two such Justices of Peace, as is aforesaid, to levy as well the said Sums of Money, and all Arrearages, of every one that shall refuse to contribute according as they shall be assessed, by Distress and Sale of the Offender's Goods, as the Sums of Money or Stock which shall be behind upon any Account to be made as aforesaid, rendering to the Parties the Overplus; and in Defect of such Distress, it shall be lawful for any such Two Justices of the Peace to commit him or them to the Common Gaol of the County, there to remain without Bail or Mainprize until Payment of the said Sum, Arrearages and Stock; and the said Justices of Peace, or any one of them, to send to the House of Correction or Common Gaol such as shall not employ themselves to Work, being appointed thereunto as aforesaid; and also any such Two Justices of Peace to commit to the said Prison every one of the said Churchwardens and Overseers which shall refuse to account, there to remain, without Bail or Mainprize, until he have made a true Account, and satisfied and paid so much as upon the said Account shall be remaining in his Hands.

[Churchwardens, &c. may make a Rate to reimburse themselves, &c. 13 & 14 Car. 2. c. 12. § 18. And for Powers of succeeding Overseers to levy, &c. see 17 G. 2. c. 38. § 11.]

V. And be it further enacted, That it shall be lawful for the said Churchwardens and Overseers, or the greater Part of them, by the Assent of any Two Justices of the Peace aforesaid, to bind any such Children, as aforesaid, to be Apprentices, where they shall see convenient, till such Man Child shall come to the Age of Four

and twenty Years (a), and such Woman Child to the Age of One and twenty Years, or the Time of her Marriage; the same to be as effectual to all Purposes, as if such Child were of full Age, and by Indenture of Covenant bound him or herself (b). And to the Intent that necessary Places of Habitation may more conveniently be provided for such poor impotent People; Be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Churchwardens and Overseers, or the greater Part of them, by the Leave of the Lord or Lords of the Manor, whereof any Waste or Common within their Parish is or shall be Parcel, and upon Agreement before with him or them made in Writing, under the Hands and Seals of the said Lord or Lords, or otherwise, according to any Order to be set down by the Justices of Peace of the said County at their General Quarter-Sessions, or the greater Part of them, by like Leave and Agreement of the said Lord or Lords in Writing under his or their Hands and Seals, to erect, build and set up in fit and convenient Places of Habitation in such Waste or Common, at the general Charges of the Parish, or otherwise of the Hundred or County, as aforesaid, to be taxed, rated and gathered in Manner before expressed, convenient Houses of Dwelling for the said impotent Poor; and also to place Inmates, or more Families than one in one Cottage or House; one Act made in the One and thirtieth of her Majesty's Reign, intituled, *An Act against the erecting and maintaining of Cottages* (c), or any Thing therein contained to the contrary notwithstanding: Which Cottages and Places for Inmates shall not at any Time after be used or employed to or for any other Habitation, but only for Impotent and Poor of the same Parish, that shall be there placed from Time to Time by the Churchwardens and Overseers of the Poor of the same Parish, or the most Part of them, upon the Pains and Forfeitures contained in the said former Act made in the said One and thirtieth Year of her Majesty's Reign.

Building Houses
on Waste for
Poor.

21 Eliz. c. 7.

(a) [No Male Apprentice longer than the Age of Twenty one Years, 18 G. 3. c. 47.; and see 7 G. 3. c. 39. § 14. Overseers to enter Names of Apprentices, and Entry to be signed by Two Justices, 42 G. 3. c. 46. § 1.; and as to Covenants for Maintenance of such Apprentices, 32 G. 3. c. 57. § L.] (b) [Persons to whom such Children shall be bound must receive and provide for them, 8 & 9 W. 3. c. 30. § 5.; and see as to turning over to Sea Service, 2 & 3 Ann. c. 6. § 6. 4 & 5 Ann. c. 19. § 16.] (c) [Repealed, 15 G. 3. c. 32.]

VI. Provided always, That if any Person or Persons shall find themselves grieved with any Sess or Tax, or other Act done by the said Churchwardens and other Persons, or by the said Justices of Peace, that then it shall be lawful for the Justices of Peace, at their General Quarter-Sessions, or the greater Number of them, to take such Order therein, as to them shall be thought convenient; and the same to conclude and bind all the said Parties. [See further, 17 G. 2. c. 38. § 7.]

Appeal.

VII. And be it further enacted, That the Father and Grandfather, and the Mother and Grandmother, and the Children of every poor, old, blind, lame and impotent Person, or other poor Person not able to work, being of a sufficient Ability, shall, at their own Charges, relieve and maintain every such poor Person in that Manner, and according to that Rate, as by the Justices of

Poor relieved by
Parents or
Children.

Penalty.

**Authority of
Officers of Cor-
porations.**

**Aldermen of
London.**

**Parish extend-
ing into Two
Counties, &c.**

**Justices not nam-
ing Overseers.**

Penalty.

How levied, &c.

Peace of that County where such sufficient Persons dwell, or the greater Number of them, at their General Quarter-Sessions shall be assessed; upon Pain that every one of them shall forfeit Twenty Shillings for every Month which they shall fail therein.

VIII. And be it further hereby enacted, That the Mayors, Bailiffs or other Head Officers of every Town and Place Corporate and City within this Realm, being Justices or Justices of Peace, shall have the same Authority by virtue of this Act, within the Limits and Precincts of their Jurisdictions, as well put of Sessions, as at their Sessions, if they hold any, as is herein limited, prescribed and appointed to Justices of the Peace of the County, or any Two or more of them, or to the Justices of Peace in their Quarter-Sessions, to do and execute for all the Uses and Purposes in this Act prescribed, and no other Justice or Justices of Peace to enter or meddle there: And that every Alderman of the City of London, within his Ward, shall and may do and execute in every Respect so much as is appointed and allowed by this Act to be done and executed by One or Two Justices of Peace of any County within this Realm.

IX. And be it also enacted, That if it shall happen any Parish to extend itself into more Counties than one, or Part to lie within the Liberties of any City, Town or Place Corporate, and Part without, that then as well the Justices of Peace of every County, as also the Head Officers of such City, Town or Place Corporate, shall deal and intermeddle only in so much of the said Parish as lieth within their Liberties, and not any further; and every of them respectively within their several Limits, Wards and Jurisdictions, to execute the Ordinances before mentioned concerning the Nomination of Overseers, the Consent to binding Apprentices, the giving Warrant to levy Taxations unpaid, the taking Account of Churchwardens and Overseers, and the committing to Prison such as refuse to account, or deny to pay the Arrearages due upon their Accounts; and yet nevertheless, the said Churchwardens and Overseers, or the most Part of them, of the said Parishes that do extend into such several Limits and Jurisdictions, shall, without dividing themselves, duly execute their Office in all Places within the said Parish, in all Things to them belonging, and shall duly exhibit and make one Account before the said Head Officer of the Town or Place Corporate, and one other before the said Justices of Peace, or any such Two of them, as is aforesaid.

X. And further be it enacted by the Authority aforesaid, That if in any Place within this Realm there happen to be hereafter no such Nomination of Overseers yearly, as is before appointed, that then every Justice of Peace of the County, dwelling within the Division where such Default of Nomination shall happen, and every Mayor, Alderman and Head Officer of City, Town or Place Corporate where such Default shall happen, shall lose and forfeit for every such Default Five Pounds, to be employed towards the Relief of the Poor of the said Parish or Place Corporate, and to be levied, as aforesaid, of their Goods, by Warrant from the General Sessions of the Peace of the said County, or of the same City, Town or Place Corporate, if they keep Sessions.

XI. And be it also enacted by the Authority aforesaid, That all Penalties and Forfeitures before mentioned in this Act to be forfeited by any Person or Persons, shall go and be employed to the

the Use of the Poor of the same Parish, and towards a Stock and Habitation for them, and other necessary Uses and Relief, as before in this Act are mentioned and expressed; and shall be levied by the said Churchwardens and Overseers, or One of them, by Warrant from any Two such Justices of Peace, or Mayor, Alderman or Head Officer of City, Town or Place Corporate respectively within their several Limits, by Distress and Sale thereof, as aforesaid; or in Default thereof, it shall be lawful for any Two such Justices of Peace, and the said Aldermen and Head Officers within their several Limits, to commit the Offender to the said Prison, there to remain without Bail or Mainprize till the said Forfeitures shall be satisfied and paid.

Distress.

XII. And be it further enacted by the Authority aforesaid, That the Justices of Peace of every County or Place Corporate, or the more Part of them, in their General Sessions to be holden next after the Feast of *Easter* next, and so yearly as often as they shall think meet, shall rate every Parish to such a weekly Sum of Money as they shall think convenient, so as no Parish be rated above the Sum of Six pence, nor under the Sum of a Halfpenny, weekly to be paid, and so as the total Sum of such Taxation of the Parishes in every County amount not above the Rate of Two pence for every Parish within the said County; which Sums so taxed shall be yearly assessed by the Agreement of the Parishioners within themselves, or in Default thereof, by the Churchwardens and Petty Constables of the same Parish, or the more Part of them; or in Default of their Agreement, by the Order of such Justice or Justices of Peace as shall dwell in the same Parish, or (if none be there dwelling) in the Parts next adjoining. [See 12 G. 2. c. 29. § 4.]

Justices to rate every Parish to a weekly Sum.

XIII. And if any Person shall refuse or neglect to pay any such Portion of Money so taxed, it shall be lawful for the said Churchwardens and Constables, or any of them, or in their Default, for any Justice of Peace of the said Limit, to levy the same by Distress and Sale of the Goods of the Party so refusing or neglecting, rendering to the Party the Overplus; and in Default of such Distress, it shall be lawful to any Justice of that Limit to commit such Person to the said Prison, there to abide, without Bail or Mainprize, till he have paid the same.

Refusing to pay Rate.

Penalty.

Imprisonment.

XIV. And be it also enacted, That the said Justices of Peace at their General Quarter-Sessions to be holden at the Time of such Taxation, shall set down what competent Sums of Money shall be sent quarterly out of every County or Place Corporate, for the Relief of the poor Prisoners of the King's Bench and Marshalsea, and also of such Hospitals and Alms-houses as shall be in the said County, and what Sums of Money shall be sent to every one of the said Hospitals and Alms-houses, so as there be sent out of every County yearly Twenty Shillings at the least to each of the said Prisons of the King's Bench and Marshalsea, which Sums, ratably to be assessed upon every Parish, the Churchwardens of every Parish shall truly collect and pay over to the High Constables in whose Division such Parish shall be situate, from Time to Time, quarterly, ten Days before the End of every Quarter; and every such Constable at every such Quarter-Sessions in such County shall pay over the same to Two such Treasurers, or to One of them, as shall by the more Part of the Justices of Peace of the County be

Prisoners in the King's Bench, Marshalsea.

Hospitals.

Treasurers.

electd to be the said Treasurers, to be chosen by the Justices of Peace of the said County, City or Town, or Place Corporate, or of others which were sessed and taxed at Five Pounds Lands, or Ten Pounds Goods at the least, at the Tax or Subsidy next before the Time of the said Election to be made (a); and the said Treasurers so electd to continue for the Space of one whole Year in their Office, and then to give up their Charge, with a due Account of their Receipts and Disbursements, at the Quarter-Sessions to be holden next after the Feast of *Easter* in every Year, to such others as shall from Year to Year, in Form aforesaid, successively be electd Treasurers for the said County, City, Town or Place Corporate; which said Treasurers, or One of them, shall pay over the same to the Lord Chief Justice of *England*, and Knight Marshal for the Time being, equally to be divided to the Use aforesaid, taking their Acquittance for the same, or in Default of the said Chief Justice, to the next ancientest Justice of the King's Bench, as aforesaid: And if any Churchwarden or High Constable, or his Executors or Administrators, shall fail to make Payment in Form above specified, then every Churchwarden, his Executors or Administrators, so offending, shall forfeit for every Time the Sum of Ten Shillings; and every High Constable, his Executors or Administrators, shall forfeit for every Time the Sum of Twenty Shillings; the same Forfeitures, together with the Sums behind, to be levied by the said Treasurer and Treasurers by way of Distress and Sale of the Goods as aforesaid, in Form aforesaid, and by them to be employed towards the charitable Uses comprised in this Act (b).

(a) [See 12 G. 2. c. 29. § 6.]

(b) [So much of this Clause as relates to the Method of raising Money for the King's Bench Prison, &c. repealed 12 G. 2. c. 29. § 22.]

Lord Chief Justice of England, Knight Marshal.

Churchwardens, &c. offending.

Penalty.

Penalty.

How Surplusage bestowed.

XV. And be it further enacted, That all the Surplusage of Money which shall be remaining in the said Stock of any County, shall, by Discretion of the more Part of the Justices of Peace in their Quarter-Sessions, be ordered, distributed and bestowed for the Relief of the poor Hospitals of that County, and of those that shall sustain Losses by Fire, Water, the Sea or other Casualties, and to such other charitable Purposes, for the Relief of the Poor, as to the more Part of the said Justices of Peace shall seem convenient.

Refusing to be Treasurer, &c.

XVI. And be it further enacted, That if any Treasurer electd shall wilfully refuse to take upon him the said Office of Treasurership, or refuse to distribute and give Relief, or to account, according to such Form as shall be appointed by the more Part of the said Justices of Peace, that then it shall be lawful for the Justices of Peace in their Quarter-Sessions, or in their Default for the Justices of Assize at their Assizes to be holden in the same County, to fine the same Treasurer by their Discretion; the same Fine not to be under Three Pounds, and to be levied by Sale of his Goods, and to be prosecuted by any Two of the said Justices of Peace whom they shall authorize. Provided always, that this Act shall not take Effect until the Feast of *Easter* next.

Penalty.

" 39 Eliz. c. 3. to stand till *Easter* 1602. § 17. EXP.

Island of Fowlness.

XVIII. Provided always, That whereas the Island of *Fowlness* in the County of *Essex*, being environed with the Sea, and having a Chapel

a Chapel of Ease for the Inhabitants thereof, and yet the said Island is no Parish, but the Lands in the same are situated within divers Parishes far distant from the said Island; Be it therefore enacted by the Authority aforesaid, That the said Justices of Peace shall nominate and appoint Inhabitants within the said Island to be Overseers for the poor People dwelling within the said Island, and that both they the said Justices and the said Overseers shall have the same Power and Authority, to all Intents, Considerations and Purposes, for the Execution of the Parts and Articles of this Act, and shall be subject to the same Pains and Forfeitures, and likewise that the Inhabitants and Occupiers of Lands there shall be liable and chargeable to the same Payments, Charges, Expences and Orders, in such Manner and Form as if the same Island were a Parish: In Consideration whereof, neither the said Inhabitants or Occupiers of Land within the said Island shall not be compelled to contribute towards the Relief of the Poor of those Parishes wherein their Houses or Lands which they occupy within the said Island are situated, for or by reason of their said Habitations or Occupings, other than for the Relief of the poor People within the said Island; neither yet shall the other Inhabitants of the Parishes wherein such Houses or Lands are situated be compelled, by reason of their Resiency or Dwelling, to contribute to the Relief of the poor Inhabitants within the said Island.

Penalties.

Pleading.

XIX. And be it further enacted, That if any Action of Trespass or other Suit shall happen to be attempted and brought against any Person or Persons, for taking of any Distress, making of any Sale, or any other Thing doing, by Authority of this present Act, the Defendant or Defendants in any such Action or Suit shall and may either plead Not guilty, or otherwise make Avowry, Cognisance or Justification for the taking of the said Distresses, making of Sale, or other Thing doing by virtue of this Act, alledging in such Avowry, Cognisance or Justification, That the said Distress, Sale, Trespass or other Thing, whereof the Plaintiff or Plaintiffs complained, was done by Authority of this Act, and according to the Tenor, Purport and Effect of this Act, without any Expressing or Rehearsal of any other Matter or Circumstance contained in this present Act; to which Avowry, Cognisance or Justification, the Plaintiff shall be admitted to reply, That the Defendant did take the said Distress, made the said Sale, or did any other Act or Trespass supposed in his Declaration, of his own Wrong, without any such Cause alledged by the said Defendant; whereupon the Issue in every such Action shall be joined, to be tried by Verdict of Twelve Men, and not otherwise, as is accustomed in other Personal Actions; and upon the Trial of that Issue the whole Matter to be given on both Parties in Evidence, according to the very Truth of the same; and after such Issue tried for the Defendant, or Nonsuit of the Plaintiff after Appearance, the same Defendant to recover Treble Damages, by reason of his wrongful Vexation in that Behalf, with his Costs also in that Part sustained, and that to be assessed by the same Jury, or Writ to enquire of the Damages, as the same shall require.

Treble Damages.
Costs.

XX. Provided always, That this Act shall endure no longer than to the End of the next Session of Parliament.

Continuance.

[Continued 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.]

C A P. III.

An Act for the necessary Relief of Soldiers and Mariners.

25 Eliz. c. 4.
39 Eliz. c. 21.

‘ WHEREAS in the Thirty fifth Year of the Queen’s Majesty’s Reign that now is, an Act was made, intituled, *An Act for the necessary Relief of Soldiers and Mariners: And* whereas in the Thirty ninth Year of her Majesty’s Reign, there was also made another Act, intituled, *An Act for the further Continuance and Explanation of the said former;’* Be it enacted by Authority of this present Parliament, That both the said Acts shall be and continue in force until the Feast of *Easter* next, and shall be from and after the said Feast discontinued.

discontinued.

‘ II. And forasmuch as it is now found more needful than it was at the making of the said Acts, to provide Relief and Maintenance to Soldiers and Mariners that have lost their Limbs, and disabled their Bodies in the Defence and Service of her Majesty and the State, in respect the Number of the said Soldiers is so much the greater, by how much her Majesty’s just and honourable defensive Wars are increased:’ To the End therefore that they the said Soldiers and Mariners may reap the Fruits of their good Deservings, and others may be encouraged to perform the like Endeavours :

Parishes charged
towards Relief of
Soldiers and
Mariners.

III. Be it enacted by the Authority of this present Parliament, That from and after the said Feast of *Easter* next, every Parish within this Realm of *England* and *Wales* shall be charged to pay weekly such a Sum of Money towards the Relief of Sick, Hurt and Maimed Soldiers and Mariners, that so have been as afore is said, or shall lose their Limbs, or disable their Bodies, having been prest and in Pay for her Majesty’s Service, as by the Justices of Peace, or the more Part of them, in their General Quarter-Sessions to be holden in their several Counties next after the Feast of *Easter* next, and so from Time to Time at the like Quarter-Sessions to be holden next after the Feast of *Easter* yearly, shall be appointed, so as no Parish be rated above the Sum of Ten pence, nor under the Sum of Two pence weekly to be paid, and so as the total Sum of such Taxation of the Parishes in any County where there shall be above Fifty Parishes, do not exceed the Rate of Six pence for every Parish in the same County; which Sums so taxed shall be yearly assessed by the Agreements of the Parishioners within themselves, or in Default thereof, by the Churchwardens and the Petty Constables of the same Parish, or the more Part of them, or in Default of their Agreement, by the Order of such Justices or Justice of Peace as shall dwell in the same Parish, or if none be there dwelling, in the Parts next adjoining.

Refusing to pay.

Penalty.

IV. And if any Person shall refuse or neglect to pay any such Portion of Money so taxed, it shall be lawful for the said Churchwardens and Petty Constables, and every of them, or in their Defaults, for the said Justices of Peace or Justice, to levy such Sum by Distress and Sale of the Goods or Chattels of the Party so refusing or neglecting, rendering to the Party the Overplus raised upon such Sale.

Churchwardens,
&c. to pay High
Constables the
Money taxed.

V. And for the Collecting and Custody of the Sums taxed in Form aforesaid, Be it enacted, That the Churchwardens and Petty Constables of every Parish shall truly collect every such Sum, and the same shall pay over unto the High Constables in whose

Division

Division such Parish shall be situate, Ten Days before the Quarter-Sessions to be holden next before or about the Feast of the Nativity of *St. John Baptist* next, in the County where the said Parish shall be situate, and so from Time to Time quarterly, within Ten Days before every Quarter-Sessions; and that every such High Constable, at every such Quarter-Sessions in such County, shall pay over the same to Two such Justices of Peace, or to Two such other Persons, or One of them, as shall be by the more Part of the Justices of Peace of the same County elected to be Treasurers of the said Collection; the same other Persons to be elected Treasurers to be such as at the last Taxation of the Subsidy next before the same Election shall be valued and sessed at Ten Pounds in Lands yearly, or at Fifteen Pounds in Goods; which Treasurers in every County so chosen shall continue but for the Space of One whole Year, and then give up their Charge, with a due Account of their Receipts and Disbursements, at their Meeting in *Easter* Quarter-Sessions, or within Ten Days after, to such others as shall from Year to Year, in the Form aforesaid, successively be elected.

Treasurers.

Treasurers Account.

VI. And if any Churchwarden, Petty Constable or High Constable, or his Executors or Administrators, shall fail to make Payment in Form above specified, then every Churchwarden and Petty Constable, his Executors or Administrators, so offending, shall forfeit the Sum of Twenty Shillings, and every High Constable, his Executors or Administrators, the Sum of Forty Shillings; to be levied by the Treasurers aforesaid by Distress and Sale in Manner before expressed, and to be taken by the said Treasurers in Augmentation of their Stock, to the Uses aforesaid.

Churchwardens, &c. failing of Payment.

Penalty.

Penalty.

VII. And if any Treasurer, his Executors or Administrators, shall fail to give up his Account within the Time aforesaid, or shall be otherwise negligent in the Execution of his Charge, then it shall be lawful for the more Part of the Justices of Peace of the same County, in their Sessions, to assess such Fine upon such Treasurer, his Executors or Administrators, as in their Discretion shall seem convenient, so it be not under the Sum of Five Pounds.

Treasurer failing of his Account, &c.

Penalty.

VIII. And for the true and just Distribution and Employment of the Sums so received according to the true Meaning of this Act, Be it enacted by the Authority aforesaid, That every Soldier or Mariner, having had his or their Limbs lost, or disabled in their Bodies by Service, being in her Majesty's Pay as above is mentioned, or such as shall hereafter return into this Realm hurt or maimed, or grievously sick, shall repair, if he be able to travel, and make his Complaint to the Treasurers of the County out of which he was pressed; or if he were no prest Man, to the Treasurers of the County where he was born, or last inhabited by the Space of Three Years, at his Election; and if he be not able to travel, to the Treasurers of the County where he shall land or arrive; and shall bring a Certificate unto any of the Treasurers aforesaid, under the Hand and Seal of the General of the Camp, or Governor of the Town wherein he served, and of the Captain of the Band under whom he served, or his Lieutenant, or in the Absence of the said General or Governor, from the Marshal or Deputy of the Governor, or from any Admiral of her Majesty's Fleet, or in his Absence from any other General of her Majesty's Ships at the Seas, or in Absence of such General, from the

To what Treasurer, &c. Soldier shall repair for Relief.

Certificate.

Captain

Allowance of
Certificate.
Justices to
grant Relief.

Captain of the Ship wherein the said Mariners or Soldiers did serve the Queen's Majesty, containing the Particulars of his Hurts and Services; which Certificate shall be also allowed by the General Muster-Master for the Time being, resident here within this Realm, or Receiver General of the Muster Rolls, the Treasurer and Comptroller of her Majesty's Navy, under his Hand, for the avoiding of all Fraud and Counterfeiting; then upon such Certificate, such Treasurers as are before expressed, shall, according to the Nature of his Hurt and Commendation of his Service, assign unto him such a Portion of Relief as in their Discretions shall seem convenient for his present Necessity, until the next Quarter-Sessions, at the which it shall be lawful for the more Part of the Justices of Peace under their Hands, to make an Instrument of Grant of the same or like Relief, to endure as long as this Act shall stand or endure in force, if the same Soldier or Mariner so long live, and the same Pension be not duly revoked or altered, which shall be a sufficient Warrant to all Treasurers for the same County to make Payment of such Pension unto such Persons quarterly, except the same shall be afterward by the said Justices revoked or altered; so that such Relief as shall be assigned by such Treasurers or Justices of Peace, to any such Soldier or Mariner having not born Office in the said Wars, exceed not the Sum in gross nor yearly Pension of Ten Pounds, nor to any that hath born Office under the Degree of a Lieutenant, the Sum of Fifteen Pounds, nor to any that hath served in the Office of Lieutenant, the Sum of Twenty Pounds.

Justices may re-
voke or alter
Relief.

IX. And yet nevertheless, it shall and may be lawful to and for the Justices of Peace and others having Authority by this Act to assign Pensions to Soldiers and Mariners, upon any just Cause to revoke, diminish or alter the same from Time to Time, according to their Discretions, in their General Quarter-Sessions of the Peace, or General Assemblies for Cities or Towns Corporate where the same Pension shall be granted.

Soldiers arriving
far from Place
where they are
to receive Relief.

X. And whereas it must needs fall out that many of such hurt and maimed Soldiers and Mariners do arrive in Ports and Places far remote from the Counties whence they are by virtue of this Act to receive their yearly Annuities and Pensions, as also they are prescribed by this Act to obtain the Allowance of their Certificates from the Muster-Master or Receiver General of the Muster Rolls, who commonly is like to abide about the Court or London so as they shall need at the first, Provision for the bearing of their Charges to such Places; Be it therefore enacted, That it may be lawful for the Treasurers of the County where they shall arrive, in their Discretion, upon their Certificate (though not allowed) to give them any convenient Relief for their Journey to carry them to the next County, with a Testimonial of their Allowance, to pass on towards such a Place; and in like Manner shall it be lawful for the Treasurer of the next County to do the like, and so from County to County (in the direct Way) till they come to the Place where they are directed to find their Maintenance according to the Tenor of this Statute.

Treasurers
Books.

XI. And for the better Execution of this Act in all the Branches thereof, Be it enacted, That every the Treasurers in their several Counties shall keep a true Book of Computation of all such Sums as they levied, and also a Register of the Names of every such Person unto whom they shall have disbursed any Relief;

lief; and shall also preserve or enter every Certificate, by Warrant whereof such Relief hath been by them disbursed; and also that the Muster-Master or Receiver General of the Muster Rolls shall keep a Book wherein shall be entered the Names of all such whose Certificates shall be by him allowed, with an Abstract of their Certificates; and that every Treasurer returning or not accepting the Certificate brought unto him from the said Muster-Master, shall write and subscribe the Cause of his not accepting or not allowing thereof under the said Certificate, or on the Back thereof.

Muster-Master
to keep Book of
Certificates.

XII. And be it further enacted, That if any Treasurer shall wilfully refuse to distribute and give any Relief according to the Form of this Act, that it shall be lawful for the Justices of Peace in their Quarter-Sessions to fine such Treasurers by their Discretions as aforesaid; the same Fine to be levied by Distress and Sale thereof, to be prosecuted by any Two of them whom they shall authorize.

Treasurer re-
fusing to relieve.
Penalty.

XIII. And be it also enacted, That every Soldier or Mariner that shall be taken begging in any Place within this Realm after the Feast of *Easter* next, or any that shall counterfeit any Certificate in this Act expressed, shall for ever lose his Annuity or Pension, and shall be taken, deemed and adjudged as a common Rogue or vagabond Person, and shall have and sustain the same and the like Pains, Imprisonment and Punishment as is appointed and provided for common Rogues and vagabond Persons.

Soldier, &c.
begging, &c.
Punishment.

XIV. Provided always, and be it enacted, That all the Surplusage of Money which shall be remaining in the Stock of any County, shall by the Discretion of the more Part of the Justices of Peace in their Quarter-Sessions be ordered, distributed and bestowed upon such good and charitable Uses, and in such Form as are limited and appointed in the Statutes made and now in force concerning Relief of the Poor, and Punishment of Rogues and Beggars.

How Surplusage
of Stock be-
stowed.

XV. Provided always, That the Justices of Peace within any County of this Realm or *Wales* shall not intromit or enter into any City, Borough, Place or Town Corporate, where is any Justice of Peace for any such City, Borough, Place or Town Corporate, for the Execution of any Article of this Act; but that it shall be lawful to the Justice and Justices of Peace, Mayors, Bailiffs and other Head Officers of those Cities, Boroughs, Places and Towns Corporate where there is any Justice of Peace, to proceed to the Execution of this Act within the Precinct and Compass of their Liberties, in such Manner as the Justices of Peace in any County may do by virtue of this Act; and that every Justice of Peace within every such City, Borough, Place or Town Corporate, for every Offence by him committed contrary to the Meaning of this Statute, shall be finable as other Justices of Peace at the large in the Counties are in this Act appointed to be; and that the Mayor and Justices of Peace in every such City, Borough, Place and Town Corporate, shall have Authority by this present Act to appoint any Person for the receiving of the said Money, and paying the same within such City, Borough, Place or Town Corporate; which Person so appointed shall have Authority to do all such Things, and be subject to all such Penalties as High Constables by virtue of this Act should have or be.

Chief Officers in
Corporate Towns
shall execute this
Act there.

XVI. And

How Penalties
employed.

XVI. And be it enacted, That all Forfeitures to be forfeited by any Treasurer, Collector, Constable, Churchwarden or other Person, for any Cause mentioned in this Act, shall be employed to the Relief of such Soldiers and Mariners as are by this Act appointed to take and have Relief; and after that Relief satisfied, then the Overplus thereof, with the Overplus of the Stock remaining in any the said Treasurer's Hands shall be employed as is before mentioned, to the charitable Uses expressed in the said Statutes concerning the Relief of the Poor, and for Punishment of Rogues and Beggars, (except the said Justices, or the more Part of them, shall think meet to reserve and keep the same in Stock for the Maintenance and Relief of such Soldiers and Mariners as out of the same County may afterwards be appointed to receive Relief and Pensions;) and that the Relief appointed to be given by this Act shall be given to Soldiers and Mariners out of the County or Place where they were pressed, so far forth as the Taxation limited by this Act will extend; and if the whole Taxation there shall be before employed according to the meaning of this Act, or that they shall not be pressed Men, then out of the Place where they were born or last inhabited by the Space of Three Years, at his or their Election.

Out of what
County Relief
shall be given.

Pensions to Sol-
diers, &c.

XVII. Provided always, and be it enacted, That every Pension assigned heretofore to any Soldier or Mariner, or that shall be assigned before the said Feast of *Easter* next, notwithstanding the discontinuance of the said two former Acts, shall stand in Force, and shall yearly from and after the said Feast of *Easter* next be satisfied and paid out of such Taxations and Forfeitures as shall be made, collected and levied by force of this Act, so long as the said Pension shall remain in Force, without such Revocation or diminishing as is before in this Act mentioned; which Clause of Revocation or Diminishing before mentioned shall extend as well to Pensions heretofore assigned, as to such as at any Time hereafter, before or after the said Feast of *Easter*, shall be assigned to any Person or Persons.

Taxations made
and not levied.

XVIII. And be it also enacted, That all Arrearages of Taxations heretofore made by virtue of the said former Statutes or any of them, which shall be or remain, at the said Feast of *Easter* next, uncollected and not received or levied, shall and may by Authority of this Act be had, received and levied by such Persons, and in such Manner and Form as in every Respect Taxations made by virtue of this Act are appointed to be collected, received and levied, and shall be employed to the Uses expressed in this Act and no otherwise.

Proviso for insuffi-
cient Rate
in London.

XIX. Provided always, and be it enacted by the Authority aforesaid, That if the said Rate shall be thought not to be sufficient for the Relief of such Soldiers and Mariners as shall be to be relieved within the City of *London*, that then it shall be lawful for the Mayor, Recorder and Aldermen of *London*, or the more Part of them, to rate and tax such reasonable Tax, Sum and Sums of Money for the said Relief as shall be to them thought fit and convenient, so as such Sum and Sums of Money so to be rated do not exceed Three Shillings weekly out of any Parish, and so as in the Total, the Sum shall not exceed or be under Twelve pence weekly out of every Parish one with another, within the said City and the Liberties thereof.

XX. This Act to endure to the End of the next Session of Parliament and no longer.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.]

C A P. IV.

An Act to redress the Misemployment of Lands, Goods and Stocks of Money heretofore given to charitable Uses.

WHEREAS Lands, Tenements, Rents, Annuities, Profits, Hereditaments, Goods, Chattels, Money and Stocks of Money have been heretofore given, limited, appointed and assigned as well by the Queen's most Excellent Majesty, and her most noble Progenitors, as by sundry other well disposed Persons, some for Relief of aged, impotent and poor People; some for Maintenance of sick and maimed Soldiers and Mariners, Schools of Learning, Free Schools and Scholars in Universities; some for Repair of Bridges, Ports, Havens, Causeways, Churches, Sea Banks and Highways; some for Education and Preferment of Orphans, some for or towards Relief, Stock or Maintenance for Houses of Correction, some for Marriages of poor Maids, some for Supportation, Aid and Help of young Tradesmen, Handicraftsmen and Persons decayed, and others for Relief or Redemption of Prisoners or Captives (a), and for Aid or Ease of any poor Inhabitants concerning Payments of Fifteens, setting out of Soldiers and other Taxes; which Lands, Tenements, Rents, Annuities, Profits, Hereditaments, Goods, Chattels, Money and Stocks of Money, nevertheless have not been employed according to the charitable Intent of the Givers and Founders thereof, by reason of Frauds, Breaches of Trust and Negligence in those that should pay, deliver and employ the same: For Redress and Remedy whereof, Be it enacted by Authority of this present Parliament, That it shall and may be lawful to and for the Lord Chancellor or Keeper of the Great Seal of *England* for the Time being, and for the Chancellor of the Duchy of *Lancaster* for the Time being, for Lands within the County Palatine of *Lancaster*, from Time to Time to award Commissions under the Great Seal of *England*, or the Seal of the County Palatine, as the Case shall require, into all or any Part or Parts of this Realm respectively, according to their several Jurisdications as aforesaid, to the Bishop of every several Diocese and his Chancellor, (in case there shall be any Bishop of that Diocese, at the Time of awarding of the same Commissions) and to other Persons of good and sound Behaviour, authorizing them thereby, or any Four or more of them, to enquire as well by the Oaths of Twelve lawful Men or more of the County as by all other good and lawful Ways and Means, of all and singular such Gifts, Limitations, Assignments and Appointments aforesaid, and of the Abuses, Breaches of Trusts, Negligences, Misemployments, not employing, concealing, defrauding, mis-converting or mis-government of any Lands, Tenements, Rents, Annuities, Profits, Hereditaments, Goods, Chattels, Money or Stocks of Money heretofore given, limited, appointed or assigned, or which hereafter shall be given,

Commissioners
to enquire of
Gifts of Lands
&c.

(a) [*As to Captives taken by the Turks, see 16 Car. 1. c. 24.*]

limited,

Enquiry. limited, appointed or assigned to or for any the charitable and godly Uses before rehearsed; and after the said Commissioners or any Four or more of them (upon calling the Parties interested in any such Lands, Tenements, Rents, Annuities, Profits, Hereditaments, Goods, Chattels, Money and Stocks of Money) shall make Enquiry by the Oaths of Twelve Men or more of the said County (whereunto the said Parties interested shall and may have and take their lawful Challenge and Challenges) and upon such Enquiry, Hearing and Examining thereof, set down such Orders, Judgments and Decrees as the said Lands, Tenements, Rents, Annuities, Profits, Goods, Chattels, Money and Stocks of Money may be duly and faithfully employed to and for such of the charitable Uses and Intents before rehearsed respectively, for which they were given, limited, assigned or appointed by the Donors and Founders thereof, which Orders, Judgments and Decrees not being contrary or repugnant to the Orders, Statutes or Decrees of the Donors or Founders shall, by the Authority of this present Parliament, stand firm and good, according to the Tenor and Purport thereof, and shall be executed accordingly, until the same shall be undone or altered by the Lord Chancellor of *England* or Lord Keeper of the Great Seal of *England*, or the Chancellor of the County Palatine of *Lancaster* respectively, within their several Jurisdictions, upon Complaint by any Party grieved to be made to them.

Commissioners Orders shall be executed.

May be altered.

Proviso for Colleges, &c. II. Provided always, That neither this Act nor any Thing therein contained shall in any wise extend to any Lands, Tenements, Rents, Annuities, Profits, Goods, Chattels, Money or Stocks of Money, given, limited, appointed or assigned, or which shall be given, limited, appointed or assigned to any College, Hall or House of Learning within the Universities of *Oxford* or *Cambridge*, or to the Colleges of *Westminster*, *Eaton* or *Winchester*, or any of them, or to any Cathedral or Collegiate Church within this Realm.

Proviso for City, &c. III. And provided also, That neither this Act nor any Thing therein, shall extend to any City, to Town Corporate, or to any the Lands or Tenements given to the Uses aforesaid within any such City or Town Corporate, where there is a special Governor or Governors appointed to govern or direct such Lands, Tenements or Things disposed to any the Uses aforesaid, neither to any College, Hospital or Free School, which have special Visitors or Governors, or Overseers appointed them by their Founders.

Jurisdiction of Ordinary. IV. Provided also, and be it enacted by the Authority aforesaid, That neither this Act nor any Thing therein contained, shall be any way prejudicial or hurtful to the Jurisdiction or Power of the Ordinary, but that he may lawfully in every Cause execute and perform the same, as though this Act had never been had or made.

Who shall not be Commissioner or Juror. V. Provided also, and be it enacted, That no Person or Persons that hath or shall have any of the said Lands, Tenements, Rents, Annuities, Profits, Hereditaments, Goods, Chattels, Money or Stocks of Money in his Hands or Possession, or doth or shall pretend Title thereunto, shall be named a Commissioner or a Juror for any the Causes aforesaid, or being named shall execute or serve in the same.

Purchasers of Lands bona fide. VI. And provided also, That no Person or Persons which hath purchased or obtained, or shall purchase or obtain, upon valuable Consideration of Money or Land, any Estate or Interest of, in, to

or out of any Lands, Tenements, Rents, Annuities, Hereditaments, Goods or Chattels that have been or shall be given, limited or appointed to any the charitable Uses above mentioned, without Fraud or Covin, having no Notice of the same charitable Use, shall not † be impeached by any Decrees or Orders of the Commissioners above mentioned for or concerning the same his Estate or Interest; and yet nevertheless, Be it enacted, That the said Commissioners, or any Four or more of them, shall and may make Decrees and Orders for Recompence to be made by any Person or Persons who, being put in Trust, or having Notice of the charitable Uses above mentioned, hath or shall break the same Trust or defraud the same Uses by any Conveyance, Gift, Grant, Lease, Demise, Release or Conversion whatsoever, and against the Heirs, Executors and Administrators of him, them or any of them, having Assets in Law or Equity, so far as the same Assets will extend.

† Sic.

Breaking Trust.

Recompence.

VII. Provided always, That this Act shall not extend to give Power or Authority to any Commissioners before mentioned, to make any Orders, Judgments or Decrees for or concerning any Manors, Lands, Tenements or other Hereditaments assured, conveyed, granted or come unto the Queen's Majesty, to the late King *Henry* the Eighth, King *Edward* the Sixth, or Queen *Mary*, by Act of Parliament, Surrender, Exchange, Relinquishment, Escheat, Attainder, Conveyance or otherwise; and yet nevertheless, be it enacted, That if any such Manors, Lands, Tenements or Hereditaments, or any of them, or any Estate, Rent or Profit thereof, or out of the same or any Part thereof, have or hath been given, granted, limited, appointed or assigned to or for any the charitable Uses before expressed at any Time sithence the beginning of her Majesty's Reign; that then the said Commissioners, or any Four or more of them, shall and may as concerning the same Lands, Tenements, Hereditaments, Estate, Rent or Profit so given, limited, appointed or assigned, proceed to enquire and to make Orders, Judgments and Decrees according to the Purport and Meaning of this Act, as before is mentioned; the said last mentioned Proviso notwithstanding.

Proviso for
Lands assured to
H. 8. E. 6.
Queen Mary
and Queen
Elizabeth.

VIII. And be it further enacted, That all Orders, Judgments and Decrees of the said Commissioners, or of any Four or more of them, shall be certified under the Seals of the said Commissioners, or any Four or more of them, either into the Court of the Chancery of *England*, or into the Court of the Chancery within the County Palatine of *Lancaster*, as the Case shall require respectively, according to their several Jurisdictions within such convenient Time as shall be limited in the said Commissions.

Certifying
Orders.

IX. And that the said Lord Chancellor or Lord Keeper, and the said Chancellor of the Duchy, shall and may within their said several Jurisdictions, take such Order for the due Execution of all or any of the said Judgments, Decrees and Orders as to either of them shall seem fit and convenient.

Execution of
Decree.

X. And that if after any such Certificate or Certificates made any Person or Persons shall find themselves grieved with any of the said Orders, Judgments or Decrees, that then it shall and may be lawful to and for them or any of them to complain in that Behalf unto the said Lord Chancellor or Lord Keeper, or to the Chancellor of the said Duchy of *Lancaster*, according to their several Jurisdictions, for Redress therein; and that upon such Com-

Appeal.

Costs of Suit
against the
Complainers.

plaint the said Lord Chancellor or Lord Keeper, or the said Chancellor of the Duchy, may, according to their said several Jurisdictions, by such Course as to their Widdoms shall seem meetest, the Circumstances of the Case considered, proceed to the Examination, Hearing and Determining thereof; and upon Hearing thereof, shall and may annul, diminish, alter or enlarge the said Orders, Judgments and Decrees of the said Commissioners, or any Four or more of them, as to either of them in their said several Jurisdictions shall be thought to stand with Equity and good Conscience, according to the true Intent and Meaning of the Donors and Founders thereof; and shall and may tax and award good Costs of Suit by their Discretions, against such Persons as they shall find to complain unto them without just and sufficient Cause, of the Orders, Judgments and Decrees before mentioned.

C A P. V.

An Act to prevent Perjury, and Subornation of Perjury, and unnecessary Expences in Suits of Law.

‘ **W**HEREAS within divers Cities and Towns Corporate, and other Places within this Realm of *England*, and the Dominions thereof, there are Jurisdictions, Customs and Privileges to hold Plea in Actions of Debt and other Actions, Plaints and Suits between Party and Party, and divers of her Majesty’s Subjects do daily commence many Actions, Plaints and Suits in the said Cities, Towns Corporate and Places according to the Jurisdictions, Customs and Privileges of the said Places; and many Defendants in Actions, Plaints and Suits there brought and commenced, will suffer the said Actions, Plaints and Suits to be proceeded in and prosecuted there until the Cause between the Plaintiffs and them be at Issue, and the Jury sworn and Evidence given on the Plaintiff’s Part, before the said Defendant will deliver into the Court where the said Actions, Plaints or Suits are to be tried, Writs formerly sued forth by them, to remove the Cause there depending, into some one or other of her Majesty’s Courts of Record at *Westminster*; which keeping back of the said Writ is done by the Defendant to no other Purpose or Intent but to put the Parties Plaintiffs to as great Charges and Expences as they the said Defendants can, and to know what Proofs the Parties Plaintiffs can make for the proving of their Issue, whereby the Defendants that sued forth the said Writs, may have longer Time to furnish themselves with some false Witnesses to impugn those Proofs which the Plaintiffs have openly made by their Witnesses and Proofs, which is a great Cause of Perjury and Subornation of Perjury, and great Expences to the Plaintiffs:’

In what Case
Habeas Corpus,
&c. not allowed.

II. For Remedy whereof, Be it enacted by the Queen’s most Excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the End of this present Session of Parliament, no Writ or Writs of *Habeas Corpus*, or any other Writ or Writs sued forth or to be sued forth by any Person or Persons whatsoever, out of any of her Majesty’s Courts of Record at *Westminster*, to remove any Action, Suit, Plaint or Cause depending or to be depending in any Court or Courts within any

City

City or Town Corporate, or elsewhere, which have or shall have Jurisdiction Power or Authority to hold Plea in any Action, Plaint or Suit, shall be received or allowed by the Judge or Judges, or Officer or Officers of the Court or Courts wherein or to whom any such Writ or Writs shall be delivered (but that he and they shall and may proceed in the said Cause and Causes ready to be tried as though no such Writ or Writs were sued forth or delivered to him or them) except that the said Writ or Writs be delivered to the Judge or Judges, Officer or Officers of the said Court before that the Jury which is to try the Cause in Question between the Party or Parties Plaintiffs, and the Party or Parties that sued forth the said Writ or Writs, or for whose Benefit the said Writ or Writs is or shall be sued forth have appeared, and one of the said Jury sworn to try the said Cause.

III. Provided always, That this Act shall continue no longer than until the End of the next Parliament. Continuance.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.]

C A P. VI

An Act to avoid trifling and frivolous Suits in Law in Her Majesty's Courts at *Westminster*.

FOR avoiding the infinite Number of small and trifling Suits commenced or prosecuted against sundry her Majesty's good and loving Subjects in her Highness' Courts at *Westminster*, (which by the due Course of the Laws of this Realm ought to be determined in inferior Courts in the Country) to the intolerable Vexation and Charge of her Highness' Subjects: Be it enacted by the Authority of this present Parliament, If any Sheriff, Under Sheriff or other Person having Authority or taking upon him to break Writs after Forty Days next after the End of this Session of Parliament, do make any Warrant for the Summons of any Person, as upon any Writ, Process or Suit, or for the arresting or attaching of any Person or Persons by his or their Body or Goods, to appear in any her Majesty's Courts at *Westminster*, or elsewhere (not having before that, the original Writ or Process warranting the same) that then upon Complaint thereof made to the Justices of Assize of the County where the same Offence shall be committed, or to the Judges of the Court out of which the Process issued, not only the Party that made such Warrant, but all those that were the Procurers thereof, shall be sent for before the same Judges or Justices, by Attachments or otherwise, as the same Judges or Justices shall think good and allow of, and be examined thereof upon their Oaths; and if the same Offence be confessed by the same Offenders, or proved by sufficient Witnesses, to the Satisfaction of the same Judges or Justices, that then the same Judges or Justices that shall so examine the same, shall forthwith by Force of this Act commit every the same Offenders to the Gaol of the County or Court where the same shall be examined; there to remain without Bail or Mainprize until such Time as they amongst them have fully satisfied and paid unto the Party grieved by such Warrant, not only the Sum of Ten Pounds of lawful *English* Money, but also all such Costs and Damages as the same Judges or Justices shall set down that the same Party

Summoning or
arresting with-
out Warrant.

Punishy.

Costs.

Penalty.

hath sustained thereby, and withal Twenty Pounds a-piece for their Offence to her Majesty.

Costs.

II. And be it further enacted by the Authority aforesaid, If upon any Action Personal to be brought in any her Majesty's Courts at *Westminster*, not being for any Title or Interest of Lands, nor concerning the Freehold or Inheritance of any Lands, nor for any Battery, it shall appear to the Judges for the same Court, and so signified or set down by the Justices before whom the same shall be tried, that the Debt or Damages to be recovered therein in the same Court shall not amount to the Sum of Forty Shillings or above, that in every such Case the Judges and Justices before whom any such Action shall be pursued, shall not award for Costs to the Party Plaintiff any greater or more Costs than the Sum of the Debt or Damages so recovered shall amount unto, but less at their Discretions. This Act to endure to the End of the First Session of the next Parliament. [*This Session extended to Counties Palatine, &c. 11 & 12 W. 3. c. 9. § 1.*]

401.

Continuance.

[Continued, 3 Car. I. c. 4. § 22. 16 Car. I. c. 4.]

C A P. VII.

An Act to avoid and prevent divers Misdemeanors in lewd and idle Persons.

Cutting Corn growing, &c.

FORASMUCH as unlawful cutting or taking away of Corn and Grain growing, robbing of Orchards and Gardens, digging up or taking away Fruit Trees, breaking of Hedges, Pales or other Fences, cutting or spoiling of Woods or Underwoods standing and growing, and such like Offences, are now more commonly committed by lewd and mean Persons than in former Times; and that the said Offences are great causes of the maintaining of Idleness, and the Persons which commit the same, are not for the most Part able, nor have wherewith to make Recompence or Satisfaction: Be it therefore enacted by the Authority of this present Parliament, That all and every such lewd Person and Persons which from and after the last Day of *February* now next following shall cut or unlawfully take away any Corn or Grain growing, or rob any Orchards or Gardens, or break or cut any Hedge, Pales, Rails or Fence, or dig, pull up, or take up any Fruit Tree or Trees in any Orchard, Garden or elsewhere, to the Intent to take and carry the same away, or shall cut or spoil any Woods or Underwoods, Poles or Trees standing, not being Felony by the Laws of this Realm; and their Procurer and Procurers, Receiver or Receivers knowing the same, being thereof lawfully convicted by the Confession of the Party, or by the Testimony of One sufficient Witness upon Oath before some one Justice of Peace, Mayor, Bailiff or other Head Officers of the County, City or Town Corporate, which said Justice or other Head Officer shall have Power, by force of this Statute, to minister the said Oath where the Offence shall be committed or the Party offending apprehended; shall give the Party and Parties such Recompence and Satisfaction for his and their Damages, and within such Time as by any One such Justice of Peace of the said County where such Offence shall be done, without the Liberty of any City or Town Corporate, or by such Head Officer or Justice of Peace within any City or Town Corporate, shall be ordered and appointed, and the same

Oath.

Recompence.

same to be only for the First Fault; and if such Offender or Offenders shall be thought in the Discretion of the said Justice or Justices, or other Head Officers, not able or sufficient, or do not make Recompence or Satisfaction for the said Damages in Manner and Form afore said, then the said Justice or Head Officer shall commit all and every the said Offender or Offenders to some Constable or Constables, or other inferior Officers of the City, Borough, Town or Hamlet where the Offence shall be committed or the Party apprehended, to be whipped; and for every such Offence for or of which the Offender or Offenders shall be afterwards committed in Form afore limited, the Person and Persons so offending to receive the said Punishment of Whipping. Punishment.

II. And be it enacted by the Authority afore said, That if any Constable or inferior Officer do refuse or do not at the Commandment of any Justice of Peace or other Head Officer, execute by himself or some other to be by him appointed, upon the Offender, the Punishment limited by this Statute, that in that Case it shall and may be lawful for the said Justice of Peace to commit the said Constable or other inferior Officer so refusing or not executing the said Punishment by himself or some other to the Common Gaol of the said County, City or Town Corporate, there to remain without Bail or Mainprize until the said Offender or Offenders be by the said Constable or Constables so refusing or not executing, or some other by his or their Procurement, punished and whipped as is above limited and declared. Constable refusing to punish Offender.

Punishment.

III. Provided always, That no Justice of Peace or other Head Officer do execute this Statute for any of the Offences afore said done unto himself, unless he be associated and assisted with one or more other Justices of Peace whom the Offence doth not concern. Provide.

[See 15 Car. 2. c. 2. § 2.]

C A P. VIII.

An Act against fraudulent Administration of Intestates Goods.

FORASMUCH as it is often put in Ure, to the defrauding of Creditors, that such Persons as are to have the Administration of the Goods of others dying intestate committed unto them, if they require it, will not accept the same, but suffer or procure the Administration to be granted to some Stranger of mean Estate and not of Kin to the Intestate, from whom themselves or others by their Means do take Deeds of Gifts and Authorities by Letter of Attorney, whereby they obtain the State of the Intestate into their Hands, and yet stand not subject to pay any Debts owing by the same Intestate, and so the Creditors for lack of Knowledge of the Place of Habitation of the Administrator cannot arrest him nor sue him; and if they fortune to find him out, yet for lack of Ability in him to satisfy of his own Goods, the Value of that he hath conveyed away of the Intestate's Goods, or released of his Debts by way of Waiving, the Creditors cannot have or recover their just and due Debts:

II. Be it enacted by the Authority of this present Parliament, That every Person and Persons that hereafter shall obtain, receive In what Case Party charged as

Executor of his
own Wrong.

Allowance of
Debts, &c.

and have any Goods or Debts of any Person dying intestate, or a Release or other Discharge of any Debt or Duty that belonged to the Intestate, upon any Fraud as is aforesaid, or without such valuable Consideration as shall amount to the Value of the same Goods or Debts, or near thereabouts, (except it be in or towards Satisfaction of some just and principal Debt of the Value of the same Goods or Debts to him owing by the Intestate at the Time of his Decease) shall be charged and chargeable as Executor of his own Wrong; and so far only as all such Goods and Debts coming to his Hands, or whereof he is released or discharged by such Administrator, will satisfy, deducting nevertheless to and for himself Allowance of all just, due and principal Debts upon good Consideration, without Fraud owing to him by the Intestate at the Time of his Decease, and of all other Payments made by him, which lawful Executors or Administrators may and ought to have and pay by the Laws and Statutes of this Realm.

C A P. IX.

An Act for Continuance of divers Statutes, and for Repeal of some others.

21 H. 8. c. 12.

BE it enacted by Authority of this present Parliament, That an Act made in the One and twentieth Year of the Reign of the late King Henry the Eighth, intituled, *An Act for the true making of Cables, Halsers and Ropes* :

24 H. 8. c. 9.

II. And that an Act made in the Four and twentieth Year of the Reign of the late King Henry the Eighth, intituled, *An Act against killing of young Beasts called Weanlings* :

3 & 4 E. 6. cc. 19.
21.

III. And that Two Acts made in the Fourth Year of the Reign of the late King Edward the Sixth, the one concerning buying and selling of Rother Beasts and Cattle; the other intituled, *An Act for the buying and selling of Butter and Cheese* :

1 Eliz. c. 17.

IV. And that an Act made in the First Year of the Queen's Majesty's Reign that now is, intituled, *An Act for Preservation of Spawn and Fry of Fish* :

5 Eliz. cc. 7. 5.

V. And that an Act made in the Fifth Year of the Queen's Majesty's Reign that now is, intituled, *An Act for avoiding divers foreign Wares made by Handicraftsmen beyond the Seas* :

VI. And that an Act made in the same Fifth Year of her Majesty's Reign, intituled, *An Act touching certain politick Constitutions made for the Maintenance of the Navy*; together with all and every Additions, Explanations and Alterations made thereunto or thereof, or of any Part thereof, by any Statute or Statutes made since the making of the same Act, and now continuing in force :

8 Eliz. c. 10.

VII. And that an Act made in the Eighth Year of the Queen's Majesty's Reign that now is, intituled, *An Act for Bowyers, and the Prices of Bows* :

13 Eliz. c. 20.

VIII. And that an Act made in the Thirteenth Year of the Queen's Majesty's Reign that now is, intituled, *An Act touching Leases of Benefices and other Ecclesiastical Livings with Cure*, together with all and every Explanations, Additions and Alterations thereof, or thereunto made by any other Statute or Statutes made since the making of the said Act, and now continuing in force, with this further Addition to be enacted by Authority of

of this present Parliament, That all Judgments hereafter to be had for the Intent to have or enjoy any Lease contrary to the said Statutes, or any of them, shall be deemed void in such Sort as Bonds and Covenants are appointed to be void which are made for that Purpose.

[13 Eliz. c. 20. and the Explanations, Additions and Alterations thereof made by 14 Eliz. c. 11. 18 Eliz. c. 11. 29 Eliz. c. 5. are repealed, 43 G. 3. c. 84. § 10.; but 43 Eliz. c. 9. is not mentioned in that Stat.]

IX. And that an Act made in the same Thirteenth Year of her Majesty's Reign, intituled, *An Act that Purveyors may take Grain, Corn and Victuals within Five Miles of Cambridge and Oxford in certain Cases:* 13 Eliz. c. 21.

X. And that an Act made in the Eighteenth Year of the Queen's Majesty's Reign, intituled, *An Act for the repairing and amending of the Bridges and Highways near unto the City of Oxford:* 18 Eliz. cc. 20. 3.

XI. And so much of one other Act made the same Year, intituled, *An Act for the setting the Poor on Work, and avoiding of Idleness,* as concerneth Bastards begotten out of lawful Matrimony:

XII. And that an Act made in the Three and twentieth Year of her Majesty's Reign, intituled, *An Act for the repairing of Dover Haven,* with the Provisions and Alterations thereof made by an Act made in the Five and thirtieth Year of the Queen's Majesty's Reign that now is: 23 Eliz. c. 6. 35 Eliz. c. 7.

XIII. And that an Act made in the Seven and twentieth Year of her Majesty's Reign, intituled, *An Act for the good Government of the City or Borough of Westminster:* 27 Eliz. c. 17. Pr.

XIV. And that an Act made in the Seven and twentieth Year of her Majesty's Reign, intituled, *An Act for the reviving of a former Statute for the true making of Malt;* together also with an Act made in the Nine and thirtieth Year of her Majesty's Reign, intituled, *An Act to restrain the excessive making of Malt:* 27 Eliz. c. 14. 39 Eliz. c. 16.

XV. And that an Act made in the said Seven and twentieth Year of her Majesty's Reign, intituled, *An Act for the keeping of the Sea Banks and Sea Works in the County of Norfolk:* 27 Eliz. c. 24.

XVI. And that an Act made in the One and thirtieth Year of her Majesty's Reign, intituled, *An Act for the true gauging of Vessels brought from beyond the Seas, converted by Brewers for the Utterance and Sale of Ale and Beer:* 31 Eliz. c. 8.

XVII. And that an Act made in the said One and thirtieth Year of her Majesty's Reign, intituled, *An Act for reviving and enlarging of a Statute made in the Three and twentieth Year of her Majesty's Reign, for the Relief of the City of Lincoln:* 31 Eliz. c. 5. Pr.

XVIII. And that Three Acts made in the Five and thirtieth Year of her Majesty's Reign, one intituled, *An Act to retain the Queen's Majesty's Subjects in their due Obedience;* 35 Eliz. cc. 1. 10. 11.

XIX. Another Act, intituled, *An Act for the Reformation of sundry Abuses in Clothes called Devonshire Kerfies or Dozens,* according to a Proclamation of the Four and thirtieth Year of the Reign of our Sovereign Lady the Queen's Majesty that now is;

XX. And one other, intituled, *An Act for the bringing in of Clap-board from the Parts of beyond the Seas, and the restraining of the transporting of Wine-Cask, for the sparing and preserving of Timber within the Realm:*

39 Eliz. cc. 1, 2.
7. 10. 12. 14.
17. 4.

XXI. And that the several Acts hereafter mentioned, made in the Nine and thirtieth Year of her Majesty's Reign that now is, (that is to say), an Act, intituled, *An Act against the decaying of Towns, and Houses of Husbandry*;

XXII. An Act, intituled, *An Act for the Maintenance of Husbandry and Tillage*; an Act, intituled, *An Act for the more speedy Payment of the Queen's Majesty's Debts, and for the better Explanation of the Act made in the Thirteenth Year of the Queen's Majesty's Reign, intituled, An Act to make the Lands, Tenements, Goods and Chattels of Tellers, Receivers, &c. liable to the Payment of their Debts*;

XXIII. An Act, intituled, *An Act for the Increase of Mariners, and for the Maintenance of the Navigation*, repealing a former Act made in the Three and twentieth Year of her Majesty's Reign, bearing the same Title;

XXIV. And an Act, intituled, *An Act for Explanation of the Statute made in the Fifth Year of her Majesty's Reign, concerning Labourers*;

XXV. An Act, intituled, *An Act prohibiting the bringing into this Realm of foreign Cards for Wool*;

XXVI. An Act, intituled, *An Act against lewd and wandering Persons pretending themselves to be Soldiers or Mariners*; an Act, intituled, *An Act for Punishment of Rogues, Vagabonds and sturdy Beggars*;

XXVII. Except the Proviso in the said last mentioned Act, concerning *John Dutton* of *Dutton*, in the County of *Chester*, Esquire; shall be continued and remain in force until the End of the first Session of the next Parliament: And touching the said Proviso concerning the said *John Dutton*, be it enacted by the Authority of this present Parliament, That the same Provision shall continue and remain in force to the End of One Year next ensuing the First Day of this present Parliament and no longer, except before the End of the said Year the said *John Dutton*, or his Heirs, shall procure the Lord Chief Justice of the Pleas before the Queen's Highness to be holden, and the Lord Chief Justice of the Common Pleas, and the Lord Chief Baron of her Majesty's Court of Exchequer, or Two of them, upon hearing his Allegations and Proofs, to make Certificate into her Majesty's Court of Chancery, that the said *John Dutton*, or his Heirs, ought lawfully (if no Statute against Rogues or Beggars had been made) by Charter, Tenure or Prescription, to use, have and exercise such Liberty of licensing of Minstrels as he claimeth and useth, and that the said Certificate be enrolled in her Majesty's said Court of Chancery within the said Year; and if he or his Heirs shall procure such Certificate as aforesaid, and cause the same to be enrolled as is aforesaid; then be it enacted also by the Authority of this present Parliament, that the same Provision shall also continue in force until the End of the First Session of the next Parliament.

XXVIII. And be it further enacted, That an Act made in the Nine and thirtieth Year of the Queen's Majesty's Reign, intituled, *An Act for the Relief of the Poor*, shall also continue and remain in force until the End of the First Session of the next Parliament, except some new Act shall be made in this present Session of Parliament concerning the same.

continued until
the first Session
of the next
Parliament.

39 Eliz. c. 9.

* 35 Eliz. c. 4. 39 Eliz. c. 21. continued till the End of the first
 " Session of the next Parliament, &c. § 29. [See 43 Eliz.
 " c. 3. § 1.] 39 Eliz. c. 6. repealed. § 30.

XXXI. And yet nevertheless, be it enacted by the Authority of this present Parliament, That so much of the said Act as concerneth the Execution of Orders, Judgments and Decrees heretofore made by Commissioners assigned by virtue of the said Act, and Examination, Hearing and Determining of the said Orders, Judgments and Decrees by such Commissioners heretofore made, shall stand and remain in force only as for and concerning such Judgments and Decrees as heretofore have been made by virtue of the same Act, and of Commissions thereupon awarded.

Decrees made by
 Commissioners
 by force of
 39 Eliz. c. 6.
 shall continue.

XXXII. Provided always, and be it enacted by Authority of this present Parliament, That the said Act for Maintenance of Husbandry and Tillage shall not extend to any Lands lying within the County of *Northumberland*.

39 Eliz. c. 2.

XXXIII. And provided also, and be it enacted by the Authority aforesaid, That so much of the Act above mentioned, intituled, *An Act for the Increase of Mariners and Maintenance of the Navigation*, repealing a former Act made in the Three and twentieth Year of her Majesty's Reign, bearing the same Title as concerneth the repealing and making void of all Ordinances of the Fishmongers of *London*, or of any other Company or Corporation whatsoever, made or to be made for Restraint of any Person to take or sell Fish, or to buy or provide any Fish of any Merchant or other within this Realm, or the making or executing of any such Ordinance or Restraint, shall from henceforth remain discontinued and repealed; the former Continuance of the said Act in this present Act mentioned notwithstanding.

39 Eliz. c. 20.
 § 6.

Repealed.

XXXIV. And yet nevertheless, be it enacted, That no such Ordinance or Restraint made or to be made shall in any wise extend or be put in Execution during the Continuance of the said former Act made in the Thirty ninth Year of her Majesty's Reign, to restrain any Coastmen, Fishermen or any others, Subjects or Foreigners, for or concerning the taking, bringing in, putting to Sale, or buying of any salted Fish or Herrings, being wholesome and sweet, upon and under the Pains and Penalties in the said former Act of the Nine and thirtieth Year of her Majesty's Reign contained.

39 Eliz. c. 20.

Penalties.

XXXV. Provided always, and be it enacted by the Authority of this present Parliament, That no Ship, Vessel or Crayer whereof any of her Majesty's Subjects shall be Owners or Part Owners of the Burden of Twenty Tuns loading and upwards, loadings or discharging within this Realm, and passing to and from any foreign Countries (other than Ships Vessels and Crayers which shall be laden with Sea Coal or Grind-stones) shall, after the End of this Session of Parliament, in respect of any such Voyage, pay to the Reparation of *Dover Haven*, but only after the Rate of Three pence the Tun, for the Merchandize where-with such Ship, Vessel or Crayer shall be in such Voyage laden, and not after the Rate of Three pence the Tun of the Burthen of every such Ship, Vessel or Crayer; and that every Ship, Vessel or Crayer which shall be employed in a Voyage of Fishing, shall not, upon Return of such Voyage, pay but after the Rate of Three pence the Tun for such Oil, Train and Merchandize as
 such

Proviso for
Dover Haven.

such Ship shall bring home in such Voyage, and not any Thing for Fish, or in respect of the Burthen of the same Ship, Vessel or Crayer; the said Statute made for the repairing of *Dover Haven*, or any other Statute touching the same, or any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

C A P. X.

An Act for the true working and making of Woollen Cloth.

‘THE Queen’s most Excellent Majesty, with the Advice of
 ‘her Highness’ Lords Spiritual and Temporal, and the
 ‘Commons, in this present Parliament assembled, weighing and
 ‘considering the good and godly Purposes of divers and sundry
 ‘Statutes heretofore made and ordained for the true making and
 ‘working of Woollen Cloth, to be frustrated and deluded by
 ‘straining, stretching, Want of Weight, Flocks, Sollace, Chalk,
 ‘Flour, deceitful Things, subtil Sleights and Untruths, so as
 ‘the same Clothes being put in Water are found to shrink, be
 ‘rewey, pursey, squally, cockling, bandy, light and notably faulty
 ‘to the great Dislike of foreign Princes, and to the Hindrance
 ‘and Loss of the Buyer and Wearer:’ For Redress thereof, is
 pleased and willeth it to be enacted, and by the Authority of this
 present Parliament it is enacted, &c.

[*Repealed*, 49 G. 3. c. 109. § 1.]

C A P. XI.

An Act for the Recovery of many hundred thousand Acres
 of Marshes and other Grounds subject commonly to
 surrounding, within the *Isle of Ely*, and the Counties of
Cambridge, Huntingdon, Northampton, Lincoln, Norfolk,
Suffolk, Sussex, Essex, Kent and the County Palatine of
Durham.

‘WHEREAS it is apparent to such as have travelled in the
 ‘Execution of Commissions of Sewers in the Isle and
 ‘Counties aforesaid, that the Wastes, Commons, Marshes and
 ‘Fenny Grounds there subject to surrounding, may be recovered
 ‘by skilful and able Undertakers, whereby great and inestimable
 ‘Benefit would arise to her Majesty, her Heirs and Successors,
 ‘disburdening her Highness of many chargeable Banks and
 ‘Works of Sewers within those surrounded Grounds, as the
 ‘Increase of many able Subjects by Habitations being there
 ‘erected, and in like Sort profitable unto many her Highness’
 ‘Subjects, both Bodies Politick as Corporate, who have Estate
 ‘of Inheritance and other Interest within the same; and for that
 ‘the draining and making dry and profitable of those surrounded
 ‘Grounds is chiefly hindred, for that the greater Part of them
 ‘are Wastes and Commons subject yearly to surrounding, wherein
 ‘divers have Common by Prescription, by reason of their Resiency
 ‘and Inhabitaney, which kind of Commons, nor their Interest
 ‘therein, can by the Common Law be extinguished or granted
 ‘to bind others which should inhabit there afterwards; and in
 ‘that also it appeareth that the Commoners in respect of their
 ‘Poverty

‘ Poverty are unable to pay the great Charges to such as should undertake the Recovery of the same:’

II. It may please your Majesty, That by your Highness and the Lords Spiritual and Temporal, and the Commons. in this present Parliament assembled, and the Authority of the same, it may be enacted, That the Lord or Lords, as well Bodies Politick or Corporate as any other Person or Persons whatsoever, of all and every the Wastes and Commons aforesaid, and the most of the Commoners for the particular Commons, and likewise the Owners, and such as have or shall have Interest in any several surrounded Grounds lying within or near the same, may contract or bargain for Part of such Commons, Wastes and Severals aforesaid, with such Person and Persons which will undertake the draining and keeping dry perpetually the Severals, Wastes and Commons of that Quality, which Contract and Bargain, and Conveyances thereupon made shall be good and available in Law to all Constructions and Purposes, against the said Lords of the said Soil, and Owners of Several, and their Heirs, Successors and Assigns, and all the Commoners, and such as shall or might have Common or Interest there afterwards, according to the Contracts, Covenants, Provisions and Agreements in those Conveyances to be specified, and for so much of such Commons, Wastes or Severals as shall be so contracted or conveyed, to hold and enjoy in Severalty to such Person and Persons, his or their Assignee or Assignees as shall or have undertaken the same, in such Manner and Form as his or their Estates and Interest are or shall be, by or upon such Contracts or Agreements, by such Conveyances limited and appointed.

Bargain between Lords and Commoners in Wastes, and the Undertakers.

III. Provided notwithstanding, and be it enacted by the Authority aforesaid, That in all Cases where your Highness, your Heirs and Successors, is or shall be Lord or Owner of the Freehold of the Soil of such Wastes or Commons, or any Part of the same, that the most Part of the Commoners in such your Highness’ Soil shall or may contract, bargain, assign and set forth as is aforesaid, Part of their Common therein to any Person or Persons which will undertake the draining of that whole Common (according as the Lords and the most Part of the Commoners in the surrounded Wastes and Commons aforesaid of Bodies Politick or Corporate may do as is before declared), which shall bind and be good and available against all the said Commoners, their Heirs, Executors or Assigns, and all others that shall hereafter by reason of any their Resiency claim any Common of Pasture in the said Wastes or Common Grounds whereof the Soil doth or shall pertain to your Majesty, of and for all their Interest or Claim of Common therein, to hold according to the true Intent and Effect of such Contract, Bargain, Assignment and Conveyances, by Writing indented, sealed and delivered by the most Part of such Commoners as shall be made between the most Part of such Commoners and such Undertakers; but shall not in any Sort be of any Effect or Validity against your Highness, your Heirs, Successors or Assigns, or their Estate or Estates in or to the Soil thereof, except such Conveyances be by Writing indented in Parchment, and one Part thereof under the Hands and Seals of most Part of the Commoners so contracting the same, certified into your Highness’ High Court of Chancery, if the Wastes or

Where the Queen is Owner of the Soil of Waste.

In what Case the Crown is affected.

Soils

Duchy Land be-
longing to the
Crown.

Soils shall be of the Possessions of your Highness Crown of *Eng-land*, and except your Majesty's Royal Consent be obtained thereunto, and signified by and under your Highness' Privy Seal or Great Seal, and enrolled in your Highness' said Court of Chancery, and after such Assent so had, signified and enrolled, then the same Contracts and Covenants shall be good and available to all and every such Undertakers, their Heirs and Assigns, against your Highness, your Heirs and Successors, according to the Provisions, Agreements and Covenants so assented unto by your Highness, your Heirs and Successors; and where they are of the Possession of the Duchy of *Lancaster* then the said Contract, Bargain, Assignment of or from your Highness shall not be of any Effect or Validity against your Highness, your Heirs, Successors and Assigns, except such Contract and Bargain touching the Premises, and such Assignment and setting forth of such Part of the said Undertakers to hold in Severalty, be by Writing indented in Parchment, sealed and delivered by the said Commoners or the most Part of them, and the said Undertakers, and one Part thereof certified under the Hands and Seals of most Part of the Commoners, into your Highness' Court of the Duchy of *Lancaster* for the Time being, and your Majesty's Royal Consent under the Seal of the said Duchy obtained thereunto, and there enrolled in that Court; which Consent Royal being obtained for the Soil of such Waste, being of the Possessions of the Crown, and under the Seal of the said Duchy, of your Highness Soil of such Wastes as are of those Possessions, the said Undertakers, and their Heirs and Assigns, shall and may enjoy in Severalty the Soil of so much Waste and Common as was so contracted for, assigned and set forth by the most Part of your Highness' Commoners, in such Sort and Quality as the said Undertakers shall hold and enjoy the Interest of Common, to all Intents and Purposes.

To what Com-
mon, Statute to
extend.

IV. Provided always, and be it enacted, That this Act nor any Thing therein contained, shall not extend to the impairing, diminishing, letting, taking away or extinguishing of the Interest of the Commoners or any of them, or of the Lords or Owners of the Soil, of, in or to any Part of the Residue of the Wastes or Commons which is not or shall not be so set forth or assigned to the Undertakers, nor to any Franchises or Liberties, or Waif, Stray, Leet, Lawday, nor other Liberties to be used or taken in the Part so to the said Undertakers assigned; but that as well the Commoners, and Lords and Owners of that Soil, shall and may enjoy their Commons in the Residue thereof, and the Queen's Majesty, her Heirs and Successors, and the Lords and Owners shall and may have and enjoy such Liberties and Franchises in such their Part as heretofore was lawfully used, and as they or any of them should or might have done if this Act or such Contract, Bargain and Assignment had never been; any Thing in this Statute contained to the contrary notwithstanding.

Liberties.

Proviso for Ports
and Havens.

V. Provided always, and be it enacted, That this Act nor any Thing therein contained, shall not extend either to any Bargain, Sale, Agreement, Grant, Conveyance or Assurance, or to the Inning, Draining or laying dry of any Commons, Marshes or surrounded Grounds, whereby or by Means whereof any of the Havens or Ports of this Realm of *England* may be in any Sort annoyed,

annoyed, impaired or hindred; nor to any Grounds within Eight Miles of *Yarmouth*, or Six Miles of *Lyn*, within the County of *Norfolk*.

C A P. XII.

An Act concerning Matters of Assurances amongst Merchants.

WHEREAS it ever hath been the Policy of this Realm by all good means to comfort and encourage the Merchant, thereby to advance and increase the general Wealth of the Realm, her Majesty's Customs, and the Strength of Shipping, which Consideration is now the more requisite, because Trade and Traffick is not at this present so open as at other Times it hath been: And whereas it hath been Time out of Mind an Usage amongst Merchants both of this Realm and of foreign Nations, when they make any great Adventure (especially into remote Parts) to give some Consideration of Money to other Persons (which commonly are in no small Number) to have from them Assurance made of their Goods, Merchandizes, Ships and Things adventured, or some Part thereof, at such Rates and in such Sort as the Parties Assurers and the Parties assured can agree; which Course of Dealing is commonly termed a Policy of Assurance; by means of which Policies of Assurance it cometh to pass, upon the Loss or perishing of any Ship there followeth not the undoing of any Man, but the Loss lighteth rather easily upon many than heavily upon few, and rather upon them that adventure not than those that do adventure, whereby all Merchants, especially of the younger Sort, are allured to venture more willingly and more freely: And whereas heretofore such Assurers have used to stand so justly and precisely upon their Credits, as few or no Controversies have arisen thereupon, and if any have grown, the same have from Time to Time been ended and ordered by certain grave and discreet Merchants appointed by the Lord Mayor of the City of *London*, as Men by reason of their Experience fittest to understand, and speedily to decide those Causes, until of late Years that divers Persons have withdrawn themselves from that arbitrary Course, and have sought to draw the Parties assured to seek their Monies of every several Assurer, by Suits commenced in her Majesty's Courts, to their great Charges and Delays: For Remedy whereof, be it enacted by the Authority of this present Parliament, That it shall and may be lawful for the Lord Chancellor, or Lord Keeper of the Great Seal of *England* for the Time being, to award forth under the Great Seal of *England* One general or standing Commission, to be renewed yearly at the least, and otherwise so oft as unto the said Lord Chancellor or Lord Keeper shall seem good, for the hearing and determining of Causes arising and Policies of Assurances, such as now are or hereafter shall be entered within the Office of Assurances within the City of *London*, and whereof no Suit shall be depending the last Day of this Session of Parliament in any of her Majesty's Courts, which Commission shall be directed to the Judge of the Admiralty for the Time being, the Recorder of *London* for the Time being,

Two

Commissions awarded to determine Policies of Assurances.

Commissioners.

Two Doctors of the Civil Law, and Two common Lawyers, and Eight grave and discreet Merchants, or to any Five of them, which Commissioners, or the greater Part of them, which shall sit and meet, shall have, by virtue of this present Act, full Power and Authority to hear, examine, order and decree all and every such Cause and Causes concerning Policies of Assurances in a brief and summary Course as to their Discretion shall seem meet, without Formalities of Pleadings or Proceedings.

Their Authority.

II. And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, as well to warn any of the Parties to come before them, as also to examine upon Oath any Witnesses that shall be produced, and to commit to Prison without Bail or Mainprize any Person that shall wilfully contemn or disobey their final Orders or Decrees; and that the said Commissioners shall Once every Week at the least, meet and sit upon the Execution of the said Commission in the Office of the Assurances, or in some other convenient publick Place by them to be assigned; and that no Person by virtue of this Act may claim or exact any Fee, for any Matter or Cause concerning the Execution of the said Commission.

Remedy for
Party grieved
by Commis-
sioners Decree.

III. And be it further enacted by the Authority aforesaid, That if any Person shall be grieved by Sentence or Decree of the said Commissioners, that such Persons so grieved may at any Time within Two Months of the said Decree so made, exhibit his Bill into the High Court of Chancery for the Re-examination of such Decree, so as every Person Complainant before he shall exhibit any such Bill, do either execute and satisfy the said Sentence so awarded, or at the least lay down *in deposito* with the said Commissioners, such Sums of Money as he shall be awarded to pay, and that upon so doing the said Complainant shall be enlarged of his Imprisonment; and that the Lord Chancellor or Lord Keeper for the Time being shall have full Power and Authority by virtue of this Act, upon every Complaint made (in order as aforesaid) to reverse or affirm every such Sentence or Decree, according to Equity and Conscience; and that the said Lord Chancellor or Lord Keeper in every such Suit brought before him as aforesaid, by such Assurers, and decreed against the said Assurers, shall award Double Costs to the Party assured.

Double Costs.

No Assurer, &c.
to meddle in
Commission.

IV. Provided nevertheless, That no Commissioner shall intermeddle in the Execution of any such Commission in any Cause or Matter of Assurance where himself shall be either a Party Assurer or Assured in the same Assurance which is brought in question; nor that any Commissioner (other than the said Judge of the Admiralty and the Recorder of London) shall deal or proceed in the Execution of any such Commission before he have taken his corporal Oath before the Lord Mayor and Court of Aldermen of the City of London, to proceed uprightly and indifferently between Party and Party.

Oath.

[See 13 & 14 Car. 2. c. 23.]

C A P. XIII.

An Act for the more peaceable Government of the Parts of *Cumberland, Northumberland, Westmorland* and the Bishoprick of *Durham*.

FORASMUCH as now of late Years very many of her Majesty's Subjects dwelling and inhabiting within the Counties of *Cumberland, Northumberland, Westmorland* and the Bishoprick of *Duresme*, have been taken, some forth of their own Houses, and some intravelling by the Highway, or otherwise, and carried out of the same Counties, or to some other Places within some of the said several Counties, as Prisoners, and kept barbarously and cruelly until they have been redeemed by great Ransoms: And where now of late Time there have been many Incurfions, Roads, Robberies, and burning and spoiling of Towns, Villages and Houses within the said Counties, that divers and sundry of her Majesty's loving Subjects within the said Counties, and the Inhabitants of divers Towns there, have been forced to pay a certain Rate of Money, Corn, Cattle or other Consideration, commonly there called by the Name of *Blackmail*, unto divers and sundry inhabiting upon or near the Borders, being Men of Name, and friended and allied with divers in those Parts, who are commonly known to be great Robbers and Spoil-takers within the said Counties, to the End thereby to be by them freed, protected and kept in Safety from the Danger of such as do usually rob and steal in those Parts: By reason whereof, many of the Inhabitants thereabouts being her Majesty's Tenants, or other good Subjects, are much impoverished, and Theft and Robbery much increased, and the Maintainers thereof greatly encouraged, and the Service of those Borders and Frontiers much weakened and decayed, and divers Towns thereabouts much dispeopled and laid waste, and her Majesty's own Revenue greatly diminished: Which heinous and outrageous Misdemeanours there, cannot so well by the ordinary Officers of her Majesty in those Parts be speedily prevented or suppressed, without further Provision of Law:

II. For Remedy whereof, Be it enacted by the Authority of this present Parliament, That whosoever shall at any Time hereafter, without good and lawful Warrant and Authority, take any of her Majesty's Subjects against his or their Will or Wills, and carry them out of the same Counties, or to any other Place within any of the said Counties, or detain, force or imprison him or them as Prisoners, or against his or their Wills, to ransom them, or to make a Prey or Spoil of his or their Person or Goods, upon deadly Feud or otherwise; or whosoever shall be privy, consenting, aiding or assisting unto any such taking, detaining or carrying away, or procure the taking, detaining or carrying away of any such Person or Persons Prisoners, as aforesaid; or whosoever shall take, receive or carry, to the Use of himself, or wittingly to the Use of any other, any Money, Corn, Cattle or other Consideration, commonly called *Blackmail*, for the protecting or defending of him or them, or his or their Lands, Tenements, Goods or Chattels, from such Thefts, Spoils and Robberies, as is aforesaid; or whosoever shall give any such Money, Corn, Cattle or other Consideration, called *Blackmail*, for such Protection as is aforesaid;

Carrying away
Persons against
their Will.

Assenting or aid-
ing thereto.

Black mail.

Burning of
Barns, &c.

aforesaid; or shall wilfully and of Malice burn or cause to be burned, or aid, procure or consent to the burning of any Barn or Stack of Corn or Grain, within any the said Counties or Places aforesaid; and shall be of the said several Offences, or any of them indicted, and lawfully convicted, or shall stand mute, or shall challenge peremptorily above the Number of Twenty before the Justices of Assizes, Justices of Gaol-delivery, Justices of Oyer and Terminer, or Justices of Peace within any of the said Counties, at some of their General Sessions within some of the said Counties to be holden; shall be reputed, adjudged and taken to be as Felons, and shall suffer Pains of Death, without any Benefit of Clergy, Sanctuary or Abjuration, and shall forfeit as in case of Felony.

Death.

‘ III. And where divers and fundry Persons within the said Counties, being indicted and outlawed for Murders, Robberies, Burglaries or other Felonies, do, notwithstanding, ordinarily resort and come to Markets, Fairs and other publick Assemblies and Meetings, and do there converse, traffick and trade with other her Majesty’s Subjects, and are entertained, and have the Privilege as Men obedient to Laws, and yet do never yield themselves to Trial of Law, nor are apprehended; whereby the ordinary Proceeding of Law, and Execution of Justice in those Parts are grown now into very great Contempt:’

Names of Out-
laws declared to
Sheriff.

IV. Be it therefore likewise further enacted, That every Clerk of the Peace within every of the said Counties shall within the Space of Two Months next after any Outlawry within any of the said Counties, deliver or cause to be delivered, by Writing under his Hand, the Names of all and every such as are or shall be hereafter outlawed within their several Counties, to all and every the Sheriffs of the said several Counties; and all and every the said Sheriffs shall proclaim and publish them to be outlawed in their several County Courts, and in the City of *Carlisle*, the Towns of *Penrith* and *Cockermouth* in the County of *Cumberland*, and in the Towns of *Appulby* and *Kendal* in the County of *Westmoreland*, and in the Town of *Newcastle upon Tyne* in the County of the Town of *Newcastle upon Tyne*, and in the Towns of *Morpeth*, *Alnwick* and *Hewam* in the County of *Northumberland*, and in the City of *Durresme*, and Towns of *Darlington*, *Bishop Auckland* and *Bernard Castle* within the Bishoprick of *Durresme*, and in the Town of *Berwick upon Tweed*; and that the said Sheriffs having Notice, as aforesaid, shall from Time to Time, once in the Month at their County-Court, proclaim every of the said Persons so outlawed, or hereafter to be outlawed, until they shall yield their Bodies to Prison; and likewise that the Mayors, Bailiffs, Aldermen and other Chief Officers, within the said several Cities and Towns, shall proclaim the like at every Fair or Fairs to be kept within the said Cities or Towns, and once every Six Weeks at their Markets.

Proclamation of
Outlaws.

Relieving Out-
law, &c.

V. And be it also enacted, That if any Person or Persons inhabiting within any the said several Counties shall wittingly and willingly have Conference, Talk, or in any Sort shall relieve, entertain or confer with any such Person or Persons so outlawed, or hereafter to be outlawed, for any such Murders, Robberies, Burglaries or other Felonies, having Knowledge of the same Outlawries, by reason of the same Proclamation or otherwise,
and

and then shall not with convenient Speed do his best Endeavour to take and arrest any such Person or Persons so outlawed, or to be outlawed as is aforesaid, shall suffer Imprisonment by the Space of Six Months, without Bail or Mainprise, and be bound with Two sufficient Sureties for his good Behaviour for the Space of One Year after, before he be enlarged of his Imprisonment.

Imprisonment.

VI. And be it further enacted, That the Justices of Assize within any of the said Counties, Justices of Gaol-delivery, Justices of Oyer and Terminer, or Justices of Peace within any of the said Counties, at any of their General Sessions, shall have Power and Authority, by virtue of this Act, to enquire, hear and determine of the Offences and Defaults of the said Sheriffs, Mayors, Bailiffs, Aldermen and other Officers, and of the Clerks of the Peace within the said Counties, and proceed against them by Information or Indictment, and punish them by Fine, Imprisonment or otherwise, as they shall think fit.

Who may determine Offences.

VII. Provided always, That this Act, nor any Thing therein contained, shall not extend to abridge or impeach the Jurisdiction or Authority of any the Lords Wardens of any the Marches of England, for and anent Scotland; any Thing in this present Act to the contrary notwithstanding.

Proviso for Lords Wardens.

C A P. XIV.

An Act concerning the Assize of Fuel.

WHEREAS in the Parliament holden at *Westminster* in the Seventh Year of King *Edward* the Sixth, one Act was made touching the assized Talwood, Billets and Faggots to be spent in *London* and *Westminster*, the which Assizes were very meet and convenient should be kept in all Places through this Realm, where such Talwood, Billets and Faggots are used to be spent: Nevertheless, the Forfeiture contained in the said Statute for every Shide of Talwood, Billet and Faggot, lacking the Assize, being put to Sale, is Three Shillings and Four pence; which Penalty is over heavy and extreme, considering the same dependeth upon the Fault of poor labouring Men, which do cut, mark and make out the same many Times without the Knowledge or Consent of the Seller: For Remedy whereof, Be it enacted by the Authority of this present Parliament, That so much of the said Statute as concerneth the Forfeiture of Three Shillings Four pence for every Shide of Talwood, Billet or Faggot, lacking the Assize contained therein, shall from henceforth be void and of none Effect; and yet the Assize for the said Talwood, Billet and Faggots, shall still continue in force, not only for *London* and *Westminster*, but also in all other Cities, Boroughs and Towns Corporate of this Realm, where such Talwood, Billet and Faggots are accustomed to be sold.

7 E. 6. c. 7. § 3.

Forfeiture of 3s. 4d. limited by 7 E. 6. c. 7. § 3. repealed.

II. And be it further enacted, That if any Person or Persons shall, after the First Day of *May* now next ensuing, bring any Talwood, Billet or Faggot, to any City, Borough or Town Corporate within this Realm, there to be sold, or being brought, shall put the same to Sale, neither being of the Assize mentioned in the said Statute made in the Seventh Year of King *Edward* the Sixth, or agreeing with the Measures hereafter in this Act limited; that then upon Information thereof given to the Mayor,

Assize of Talwood, &c.

Who may en-
quire of Defaults
of Talwood, &c.

How Penalties to
be distributed.

7 E. 6. c. 7. § 2.

§ 3.

Bailiff or other Head Officer of the said City, Borough or Town Corporate, they shall have Power and Authority to call before them Six good and lawful Men of the said City, Borough or Town Corporate, and shall swear them upon their Corporal Oaths, truly to enquire and present, whether all or any Part of the said Talwood, Billets or Faggots be of good and sufficient Affize, according to the said Statute, and the Limitation of Affize, herein contained or not: And if they shall present upon their Oaths, that any of the same Talwood, Billets or Faggots be not of such good and sufficient Affize, as abovesaid, that then the said Mayor, Bailiffs and other Head Officers of the said Cities, Boroughs and Towns Corporate, by force of this Act, upon their Presentment, shall and may take such of the same Talwood, Billets and Faggots as be false sized, as forfeited, and shall deliver the same unto some Overseers for the Poor in the said Cities, Boroughs and Towns Corporate, to be by them given and distributed to the Poor there, according to their Discretions, from Time to Time, as often as such Offences shall be presented in Manner and Form abovesaid.

‘ III. And whereas in the said former Statute it was enacted and limited, That every Talshide shall contain in Length Four Foot besides the Carff; and every Talshide named One, should contain in Greatness within One Foot of the Midst, Sixteen Inches about; and every Talshide named of Two, to contain in Greatness within a Foot of the Midst, Twenty and three Inches about; and every Talshide named of Three, to contain in Greatness within One Foot to the Midst, Twenty and eight Inches about; and every Talshide named of Four, to contain in Greatness within One Foot of the Midst, Thirty three Inches about; and every Talshide named of Five, to contain in Greatness within One Foot of the Midst, Thirty eight Inches about; and every Billet to contain in Length Three Foot Four Inches; and every Billet named a Single, to contain Seven Inches and an Half about; and every Billet named to be a Cast, to contain Ten Inches about; and every Billet named of Two Cast, to contain Fourteen Inches about; and every Faggot, Bend or Stick, to contain in Length Three Foot; and the Bond of every such Faggot to be of Four and Twenty Inches about, besides the Knot: In which Act it was further enacted, That all Billets of Two Cast should be marked within Six Inches of the Midst thereof, and every Billet of One Cast to be marked only within Four Inches of the End thereof, as in the said Act of Parliament, amongst divers other Clauses, Articles and Provisions doth and may appear: And whereas divers evil disposed Persons, evading from the true Intent, good Meaning and Purpose of the said Act of Parliament, have cunningly devised, by cleaving of Wood made or to be marked for Talwood or Billet, and by stopping of Faggots with short Sticks about the Midst thereof, so to deceive and abuse the Subjects of this Realm, as many Times they sell the One Half or little more for the whole, and yet so cunningly carried, that by the strict Letter of the said Statute they cannot be controlled, by reason the said Statute useth only the Word (About) and wanteth the Word (Round): And whereas by the true Intent of the said Statute, every Bend of Faggot should be Three Foot, and the Bond besides the Knot

‘ Four and twenty Inches, the said evil disposed People do not
 ‘ only make the said Bends or Faggot-sticks much shorter, but if
 ‘ any chance to be of sufficient Length, then only One or Two of
 ‘ those shall be put in a Faggot, and the Bond filled up with short
 ‘ Sticks or Bends scarce One Foot long, to the great Damage
 ‘ and Deceit of her Majesty’s Subjects buying the same :’

IV. For avoiding of all which Deceits for ever hereafter, and to avoid all Scruple, Ambiguity or Doubt hereafter to be made of the said Statute, or the true Meaning thereof, and for that it must needs be permitted to cleave great Trees into Talwood or Billet, for Conveniency of Use ; Be it therefore (for Explanation of the true Intent of the said Statute) enacted by Authority of this present Parliament, That from and after the First Day of *May* now next coming, every Talshide marked of One, being round bodied, shall contain Sixteen Inches of Assize in Compass; being of half-round, Nineteen Inches of Assize about ; being quarter-cleft, Eighteen Inches and a Half of Assize about : And that every Talshide marked Two, being round bodied, shall contain in Compass Three and twenty Inches of Assize about ; being half-round, Seven and twenty Inches of Assize about ; being of quarter-cleft, Six and twenty Inches of Assize about : And that every Talshide marked Three, shall contain in Compass about (being round) Eight and twenty Inches of Assize ; being half-round, to contain in Compass Three and thirty Inches of Assize ; being of quarter-cleft, Two and thirty Inches of Assize about : And every Talshide marked Four, to contain in Compass, being round, Three and thirty Inches of Assize ; being half-round, Nine and thirty Inches of Assize about ; being of quarter-cleft, Eight and thirty Inches of Assize about : And every Talshide marked Five shall contain in Compass, being round, Eight and thirty Inches of Assize about, and being half-round, Four and forty Inches of Assize about, and being quarter-cleft, Three and Forty Inches of Assize about : All which to be measured about within Six Inches of the Middt thereof, and to contain the Length limited by the said Statute : And in all other Forms and Manner of cleaving of Wood to be hereafter marked and sold for Talwood, which will not admit the former Forms or Manner of cleaving, nor any of these, to observe the Letter of the said Statute of *An. 7 Ed. 6. c. 7.*

Compass of
Talshides
marked.

V. And for the better understanding of the Intent of this Statute, be it enacted by the Authority aforesaid, That in every one of these Forms, the Surplufage of Compass that shall happen between any Two next Measures, being above the one, and under the other, in every Kind, shall be deemed, allowed and taken to be for and to the Benefit of the Buyer, and not otherwise to be computable.

Surplufage of
Compass.

VI. And be it further enacted by the Authority aforesaid, That every Billet named a Single shall contain in Compass, being round bodied, Seven Inches and an Half of Assize, and no Singles to be made or marked out of cleft Wood ; and every Billet marked One, commonly called a Cast, to contain in Compass about Eleven Inches of Assize, being round ; and being half-round, to contain in Compass Thirteen Inches of Assize about ; and being quarter-cleft, to contain in Compass about, Twelve Inches and an Half : And every Billet marked Two, commonly called Two Cast, to contain in Compass about, being round, Sixteen Inches of Assize ;

Compass of
Billets.

and being half-round, to contain in Compass about Nineteen Inches of Assize; and being of quarter-cleft, to contain in Compass about Eighteen Inches and an Half of Assize: And in all other Forms or Manner of cleaving of Billet to be hereafter marked and sold for Billets, which will not admit the former Forms or Manner of cleaving, nor any of them, and touching the Length of all the said Billets, to observe the Letter of the said Statute of *Anno 7 Ed. 6. c. 7.*

Compass of
Faggots.

VII. And be it also enacted by the Authority aforesaid, That all Faggots hereafter to be made and put to Sale shall contain in Compass, besides the Knot of the Bond, Four and twenty Inches of Assize; and every Faggot-stick or Bend within the said Bond to contain in Length full Three Foot of Assize or more, excepting only One Stick or Bend to be of One Foot long, to stop or harden the binding thereof.

[See 9 *Ann. c. 15.* 10 *Ann. c. 6.*]

C A P. XV.

An Act for the levying of Fines with Proclamations of Lands within the County of the City of *Chester*.

8 & 3 E. 6. c. 28.

‘ **W**HEREAS by an Act made in the Parliament holden at *Westminster* by Prorogation, in the Second Year of the Reign of our late Sovereign Lord of famous Memory King *Edward* the Sixth, intituled, *An Act for Fines with Proclamations in the County Palatine of Chester*, it was enacted, That all Fines which at any Time thereafter should be levied or acknowledged before the High Justice of the said King, or of his Heirs and Successors, of his County Palatine of *Chester*, for the Time being, or before the Deputy or Lieutenant Justice for the Time being, of any Lands, Tenements or other Hereditaments, lying and being within the said County Palatine of *Chester*, which should be openly read and proclaimed in such Manner and Form as in and by the said Act is particularly appointed, should be of like Force, Strength and Effect in the Law, to all Intents, Constructions and Purposes, as Fines duly levied with Proclamations before the said King’s Justices of the Common Pleas were:

Letters Patent,
6 April, 21 H. 7.

‘ II. And forasmuch as the said Act doth not extend to any Lands, Tenements or other Hereditaments lying and being within the County of the City of *Chester*, (the said City, with the Suburbs and Hamlets thereof, and all the Land within the Precinct and Circuit of the said City, Suburbs and Hamlets, being long before, by our late Sovereign Lord of famous Memory, King *Henry* the Seventh, by his Highness Letters Patents, bearing Date at *Chester* the Sixth Day of *April* in the One and twentieth Year of his Reign, divided, exempted and in all Things separated from the said County of *Chester*, and from thenceforth made and appointed to be a County by itself, and in itself, distinct and separate from the said County of *Chester*;) so that the Inhabitants within the said City, and all others being Owners of Lands within the County of the said City, have no Means to levy any Fines of such their said Lands in any of her Highness’ Courts of Record:’

Fines levied of
Lands within the
City of Chester.

III. May it therefore please your most excellent Majesty, the Lords Spiritual and Temporal, and the Commons of this Realm,

in this present Parliament assembled, that it may be enacted by the Authority of the same, That from henceforth it shall and may be lawful to and for all and every Person or Persons whatsoever, upon any original Writ or Writs of Covenant, or any other original Writ or Writs whereupon Fines are or have been usually levied, to be purchased out of her Highness' Court of Exchequer within the said County Palatine of *Chester*, returnable before the Mayor of the said City for the Time being, in the *Portmoot* Court to be holden within the said City, to levy any Fine or Fines of any Lands, Tenements or Hereditaments, lying or being within the said County of the said City of *Chester*, before the Mayor of the said City for the Time being, in the said *Portmoot* Court, in such Manner and Form as Fines may be levied by any Laws or Statutes of this Realm before the Queen's Majesty's High Justice of her County Palatine of *Chester*, of Lands within the same County Palatine: And that the Mayor of the said City for the Time being shall from henceforth have full Power and Authority to receive and record all and every such Fine and Fines: And that all and every such Fine and Fines which shall be so levied, and which shall be openly read and proclaimed before the Mayor of the said City for the Time being, in the said *Portmoot* Court, once at the same Court-Day that the said Fine or Fines shall be ingrossed, and once at every of the Nine next Court-Days of *Portmoot* to be holden within the said City, before the Mayor thereof for the Time being, next after the Levying and Ingrossing of such Fine or Fines, shall be of like Force, Strength and Effect in the Law, to all Intents, Constructions and Purposes, as Fines duly levied with Proclamations, before her Majesty's said High Justice of her County Palatine of *Chester*, of Lands within the same County Palatine, are or ought to be of.

Proclamations of
Fines.

IV. And whereas also the Mayor of the said City for the Time being hath been ever heretofore (for and during all the Time whereof the Memory of Man is not to the contrary) accustomed, in all and every common Recovery or Recoveries suffered before him in the said Court of *Portmoot*, in Absence of the Tenant or Tenants, Vouchee or Vouchees in such Recovery or Recoveries, to award and send forth of the said Court a Writ, Process or Precept of *Dedimus Potestatem*, in the Name of our Sovereign Lady the Queen's Majesty that now is, and of her Highness' Progenitors, Kings and Queens of *England* for the Time being, under the *Tesle* of the said Mayor for the Time being, and sealed with the Seal of his Office, thereby authorizing those to whom the same was directed, or some of them, to receive Warrants of Attornies from such Tenant or Tenants, Vouchee or Vouchees, to such Attorney or Attornies, as the said Tenant or Tenants, Vouchee or Vouchees, would in his or their Place or Places constitute for him or them to appear in the said Court, and to gain or lose the said Lands, Tenements or Hereditaments, in or by such Recovery or Recoveries demanded or to be recovered.

Dedimus Potestatem.

V. Be it also enacted by the Authority aforesaid, That upon all and every such original Writ or Writs hereafter to be purchased out of her Highness' said Court of Exchequer as aforesaid, for the levying of any Fine or Fines within the said City of *Chester*, the Mayor of the said City for the Time being shall for ever hereafter

Dedimus Potestatem granted by
Mayor of
Chester.

have full Power and Authority to award and send forth such like Writ or Writs, Process or Precepts of *Dedimus Potestatem* as is aforesaid, to any Two or more sufficient Persons, authorizing them, or some of them, to receive and take the Acknowledgment of such Person or Persons as shall be willing to levy such Fine or Fines, and by reason of Sickness, or other reasonable Impediment, cannot come in Person before the said Mayor for the Time being, to make such Acknowledgment: And that all and every such Fine and Fines, as upon any such Acknowledgment made and certified into the said Court of *Portmoot* shall be hereafter engrossed, recorded and proclaimed in such Manner and Form as is formerly limited and appointed, before the Mayor of the said City for the Time being, in the said Court of *Portmoot*, shall be of like Force and Effect, to all Intents, Constructions and Purposes, as if the same Fine or Fines had been personally acknowledged before the said Mayor, and engrossed, recorded and proclaimed in such Manner and Form as in and by this present Act is formerly limited, appointed, expressed and declared.

Writ of Error.

VI. Provided always, and be it enacted, That Fines to be levied by virtue of this Act shall be subject to be reversed and may be reversed upon Writs of Error to be sued and prosecuted before the said High Justice of the said County Palatine of *Chester*, as other Judgments given by the said Mayor in the said *Portmoot* Court may be, and have used to be, if there shall be found Error in the same Fine or Fines.

C A P. XVI.

An Act for the re-edifying, repairing and maintaining of Two Bridges over the River of *Eden*, near the City of *Carlisle*, in *Cumberland*.

C A P. XVII.

An Act for the Confirmation of the Subsidies granted by the Clergy. EXP.

C A P. XVIII.

An Act for the Grant of Four entire Subsidies, and Eight Fifteens and Tenths, granted by the Temporality. EXP.

C A P. XIX.

An Act for the Queen's Majesty's most gracious, general and free Pardon.

End of the Statutes of Queen ELIZABETH.

Anno Regni JACOBI Regis, viz. Angliæ, Franciæ,
& Hiberniæ, primo, & Scotiæ tricesimo septimo.

(A.D.1603.)

STATUTES made in the Parliament begun and holden at Westminster the Nineteenth Day of March in the Years of the Reign of our most gracious and excellent Sovereign Lord JAMES, by the Grace of God, of England, France and Ireland, King, Defender of the Faith, &c. viz. of England, France, and Ireland, the First, and of Scotland the Seven and thirtieth; and there continued until and on the Seventh Day of July then next following, and then prorogued until and on the Seventh Day of February next following; viz.

[Here the Roll is indorsed, "ROTULUS PARLIAMENTI DE ANNO REGNI R. JACOBI ANGLIÆ, &c. PRIMO."]

C A P. I.

A most joyful and just Recognition of the immediate, lawful and undoubted Succession, Descent and Right of the Crown.

GREAT and manifold were the Benefits, most dread and most gracious Sovereign, wherewith Almighty God blessed this Kingdom and Nation by the happy Union and Conjunction of the Two noble Houses of *York* and *Lancaster*, thereby preserving this Noble Realm, formerly torn and almost wasted with long and miserable Diffension and bloody civil War; but more inestimable and unspeakable Blessings are thereby poured upon us, because there is derived and grown from and out of that Union of those Two princely Families, a more famous and greater Union (or rather a Re-uniting) of Two mighty, famous and ancient Kingdoms (yet anciently but one) of *England* and *Scotland*, under one Imperial Crown, in your most Royal Person, who is lineally, rightfully and lawfully descended of the Body of the most excellent Lady *Margaret*, eldest Daughter of the most renowned King *Henry* the Seventh, and the High and Noble Princess Queen *Elizabeth* his Wife, eldest Daughter of King *Edward* the Fourth; the said Lady *Margaret* being eldest Sister of King *Henry* the Eighth, Father of the High and Mighty Princess of famous Memory, *Elizabeth* late Queen of *England*:

II. In Consideration whereof, albeit we your Majesty's loyal and faithful Subjects, of all Estates and Degrees, with all possible and publick Joy and Acclamation, by open Proclamations within few Hours after the Decease of our late Sovereign Queen, acknowledging thereby with one full Voice of Tongue and Heart, that your Majesty was our only lawful and rightful Liege Lord and Sovereign, by our unspeakable and general Rejoicing

‘ and Applause at your Majesty’s most happy Inauguration and
 ‘ Coronation, by the affectionate Desire of infinite Numbers of
 ‘ us, of all Degrees, to see your Royal Person, and by all possible
 ‘ outward Means have endeavoured to make Demonstration of our
 ‘ inward Love, Zeal and Devotion to your most excellent Majesty,
 ‘ our undoubtful rightful Liege Sovereign Lord and King: Yet
 ‘ as we cannot do it too often, or enough, so can there be no
 ‘ Means or Ways so fit, both to sacrifice our unfeigned and hearty
 ‘ Thanks to Almighty God, for blessing us with a Sovereign
 ‘ adorned with the rarest Gifts of Mind and Body, in such admir-
 ‘ able Peace and Quietness, and upon the Knees of our Hearts
 ‘ to agnize our most constant Faith, Obedience and Loyalty to
 ‘ your Majesty and your Royal Progeny, as in this High Court
 ‘ of Parliament, where all the whole Body of the Realm, and
 ‘ every particular Member thereof, either in Person or by Repre-
 ‘ sentation (upon their own free Elections) are by the Laws of
 ‘ this Realm deemed to be personally present.

‘ III. To the Acknowledgment whereof to your Majesty, we
 ‘ are the more deeply bounden and obliged, as well in regard of
 ‘ the extraordinary Care and Pains which with so great Wisdom,
 ‘ Knowledge, Experience and Dexterity, your Majesty (since
 ‘ the Imperial Crown of this Realm descended to you) have taken
 ‘ for the Continuance and Establishment of the blessed Peace both
 ‘ of the Church of *England* in the true and sincere Religion, and
 ‘ of the Commonwealth by due and speedy Administration of
 ‘ Justice, as in respect of the gracious Care and inward Affection
 ‘ which it pleased you on the First Day of this Parliament so
 ‘ lively to express by your own Words, so full of high Wisdom,
 ‘ Learning and Virtue, and so replete with royal and thankful
 ‘ Acceptation of all our faithful and constant Endeavours, which
 ‘ is and ever will be to our inestimable Consolation and Comfort.

‘ IV. We therefore your most humble and loyal Subjects, the
 ‘ Lords Spiritual and Temporal, and the Commons, in this pre-
 ‘ sent Parliament assembled, do, from the Bottom of our Hearts,
 ‘ yield to the Divine Majesty all humble Thanks and Praises, not
 ‘ only for the said unspeakable and inestimable Benefits and
 ‘ Blessings above mentioned, but also that he hath further enriched
 ‘ your Highness with a most Royal Progeny of most rare and
 ‘ excellent Gifts and Forwardness, and in his Goodness is likely
 ‘ to increase the happy Number of them:’ And in most humble
 ‘ and lowly Manner do beseech your most excellent Majesty, that
 ‘ (as a Memorial to all Posterities, amongst the Records of your
 ‘ High Court of Parliament for ever to endure, of our Loyalty,
 ‘ Obedience and hearty and humble Affection) it may be published
 ‘ and declared in this High Court of Parliament, and enacted by
 ‘ Authority of the same, That we (being bounden thereunto both
 ‘ by the Laws of God and Man) do recognize and acknowledge
 ‘ (and thereby express our unspeakable Joys), That immediately
 ‘ upon the Dissolution and Decease of *Elizabeth* late Queen of *Eng-
 ‘ land*, the Imperial Crown of the Realm of *England*, and of all
 ‘ the Kingdoms, Dominions and Rights belonging to the same,
 ‘ did by inherent Birthright, and lawful and undoubted Succession,
 ‘ descend and come to your most excellent Majesty, as being
 ‘ lineally, justly and lawfully, next and sole Heir of the Blood
 ‘ Royal of this Realm as is aforesaid; and that by the Goodness of
 ‘ God

Crown of Eng-
 land, &c. descend-
 ed to the King by
 lawful Birthright
 and Descent.

God Almighty, and lawful Right of Descent, under One Imperial Crown, your Majesty is, of the Realms and Kingdoms of *England, Scotland, France and Ireland*, the most potent and mighty King, and by God's Goodness more able to protect and govern us your loving Subjects in all Peace and Plenty, than any of your noble Progenitors: And thereunto we most humbly and faithfully do submit and oblige ourselves, our Heirs and Posterities for ever, until the last Drop of our Bloods be spent: And do beseech your Majesty to accept the same, as the First Fruits in this High Court of Parliament of our Loyalty and Faith to your Majesty, and your Royal Progeny and Posterity for ever: Which if your Majesty shall be pleased (as an Argument of your gracious Acceptation) to adorn with your Majesty's Royal Assent, without which it can neither be complete and perfect, nor remain to all Posterity, according to our most humble Desire, (as a Memorial of your princely and tender Affection towards us), we shall add this also to the Rest of your Majesty's unspeakable and inestimable Benefits.

C A P. II.

An Act authorizing certain Commissioners of the Realm of *England*, to treat with Commissioners of *Scotland*, for the Weal of both Kingdoms. EXP.

WHEREAS his most excellent Majesty hath been pleased, out of his great Wisdom and Judgment, not only to represent unto us by his own prudent and princely Speech on the First Day of this Parliament, how much he desired (in regard of his inward and gracious Affection to both the famous and ancient Realms of *England* and *Scotland*, now united in Allegiance and loyal Subjection in his Royal Person, to his Majesty and his Posterity for ever) that by a speedy, mature and sound Deliberation, such a further Union might follow, as should make perfect that mutual Love and Uniformity of Manners and Customs, which Almighty God in his Providence for the Strength and Safety of both Realms hath already so far begun in apparent Sight of all the World, but also hath vouchsafed to express many Ways, how far it is, and ever shall be from his royal and sincere Care and Affection to the Subjects of *England*, to alter and innovate the fundamental and ancient Laws, Privileges and good Customs of this Kingdom, whereby not only his Regal Authority, but the People's Security of Lands, Livings and Privileges (both in general and particular) are preserved and maintained, and by the abolishing or Alteration of the which, it is impossible but that present Confusion will fall upon the whole State and Frame of this Kingdom.

II. Forasmuch as his Majesty's humble, faithful and loving Subjects, have not only conceived the Weight of his Majesty's Reasons, but apprehend to their unspeakable Joy and Comfort, his plain, clear and gracious Intention, to seek no other Changes or Alteration, but of such particular, temporary or indifferent Manner of Statutes and Customs, as may both prevent and extinguish all and every future Questions, or unhappy Accidents, by which the perfect and constant Love and Friendship, and Quietness between the Subjects of both the Realms aforesaid may

‘ may be completed and confirmed, and also perform and accomplish that real and effectual Union already inherent in his Majesty’s Royal Blood and Person, and now desired by his Majesty to be performed and brought to an End, for the Weal of both Kingdoms, by this Course following, &c.

[Explained, 3 Jac. 1. c. 3. And see 4 Jac. 1. c. 1. 22 Car. 2. c. 9.]

C A P. III.

An Act against the Diminution of the Possessions of Archbishopricks and Bishopricks, and for avoiding of Dilapidations of the same.

‘ **W**HEREAS all the Archbishopricks and Bishopricks within this Realm of *England*, were in ancient Times founded by his Majesty’s most noble Progenitors, Kings of this Realm, and in respect thereof, his Majesty is lawful and rightful Patron of all and every of the same: And where also by the Laws and Statutes of this Realm, no Archbishop or Bishop can make any Conveyance, Assurance or Estate whatsoever, of any Honours, Castles, Manors, Lands, Tenements or Hereditaments, Parcel of the Possessions of his Archbishoprick or Bishoprick, or united, appertaining or belonging to any of the same, to any Subject whatsoever, whereby any Estate should or might pass from any Archbishop or Bishop, other than for Term of One and twenty Years, or Three Lives, with such Reservations of Rent, and in such Manner and Form, as by the Laws and Statutes are provided: His most excellent Majesty understanding that divers Persons have with great Suit and Importunity sought to frustrate the true End and Intent of the said good Laws and Statutes in that Behalf, of his Christian and Princely Piety and Care, minding so to patronize and protect the said Possessions from Alienation or Diminution, as that the same may, according to the true Intent of the Founders, remain and continue in Succession to the Archbishops and Bishops of this Realm and their Successors, for the better Maintenance of God’s true Religion, keeping of Hospitality, and avoiding of Dilapidations, and thereby for ever hereafter to avoid all Suits and Importunities for or concerning any of the said Possessions, hath, out of his own meer and godly Motion, and of his blessed Disposition for the publick Good, without all Regard of any private Respect, vouchsafed and is pleased, That it may be enacted and established by his Majesty, by and with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled;’

II. And be it enacted and established by Authority of the same, That every Archbishop and Bishop within this Realm, and their and every of their Successors, shall be from and after the End of this present Session of Parliament, for ever wholly and utterly disabled in Law, to make, do, levy or suffer any Act or Acts, Thing or Things, whereby or by Means whereof, any of the said Honours, Castles, Manors, Lands, Tenements or Hereditaments or any Part of them, or any of them, shall or may be aliened, assured, given, granted, demised, charged, or in any Sort conveyed to our said Sovereign Lord the King, his Heirs or Successors: And that all Alienations, Assurances, Gifts, Grants, Leases, Charges

No Bishop shall assure his Land to the King.

Charges and Conveyances whatsoever, from and after the End of this present Session of Parliament, to be done, suffered or made to our Sovereign Lord the King, his Heirs or Successors, by any Archbishop or Bishop, or their or any of their Successors, of or out of any of the said Possessions, or of or out of any Part or Parcel of them or any of them, and all and every Confirmation and Confirmations of the same, shall be from and after the End of this present Session of Parliament utterly void and of none Effect, to all Intents, Constructions and Purposes; any former Law, Statute, Act, Ordinance or other Matter or Thing to the contrary notwithstanding.

C A P. IV.

An Act for the due Execution of the Statutes against Jesuits, Seminary Priests, Recusants, &c.

FOR the better and more due Execution of the Statutes heretofore made, as well against Jesuits, Seminary Priests, and other such like Priests, as also against all Manner of Recusants; Be it ordained and enacted by Authority of this present Parliament, That all and every the Statutes heretofore made in the Reign of the late Queen of famous Memory, *Elizabeth*, as well against Jesuits, Seminary Priests and other Priests, Deacons, Religious and Ecclesiastical Persons whatsoever, made, ordained or professed, or to be made, ordained or professed, by any Authority or Jurisdiction derived, challenged or pretended from the See of *Rome*, as those which do in any wise concern the withdrawing of the King's Subjects from their due Obedience, and the Religion now professed, and the Taking of the Oath of Obedience unto the King's Majesty, his Heirs and Successors, together with all those made in the said late Queen's Time, against any Manner of Recusants, shall be put in due and exact Execution. [As to the Oath appointed to be taken by Roman Catholics, 31 G. 3. c. 32. § 1. 3.]

Statutes of Qu. Eliz. shall be put in Execution.

II. Provided nevertheless, and be it enacted by the Authority of this present Parliament, That if any that is or shall be a Recusant shall submit or reform him or herself, and become obedient to the Laws and Ordinances of the Church of *England*, and repair to the Church, and continue there during the Time of the Divine Service and Sermons, according to the true Meaning of the Statutes in that Behalf, in the said late Queen's Time made and provided, That then every such Person, for and during such Time as he or she shall so continue in such Conformity and Obedience, shall from thenceforth be freed and discharged of and from any the Penalties and Losses which the same Person might otherwise sustain and bear in respect or by Reason of such Person's Recusancy.

Recusant conforming, discharged.

III. And if any Recusant shall hereafter die, his Heir being no Recusant, That in every such Case, every such Heir shall be freed and discharged of all and singular the Penalties, Charges and Incumbrances, happening upon him or her in respect or by Reason of his or her Ancestor's Recusancy: And if at the Decease of any such Recusant, his Heir shall happen to be a Recusant, and after shall become conformable and obedient to the Laws and Ordinances of the Church of *England*, and repair to the Church, and continue there during the Time of the Divine Service and Sermons,

§ Eliz. c. 1.

Recusant's Heir
within Age at
the Time of his
Ancestor's
Death.

A Third Part of
his Living shall
remain clear to
a Recusant.

The Two Parts
after Recusant's
Death, shall re-
main in the
King's Hands for
Arrears.

None shall go or
find any other to
a Seminary, &c.

mons, according to the Intent and true Meaning of the said Statutes and Ordinances in that Behalf made as is afore said, and also shall take the Oath of Supremacy in such Sort as that Oath is expressed in one Act of Parliament made in the First Year of the Reign of our late Sovereign Lady Queen *Elizabeth*, before the Archbishop or Bishop of the Diocese: That in every such Case, every such Heir shall be freed and discharged of all and singular the Penalties, Charges and Incumbrances, happening upon him or her in respect or by Reason of any of his or her Ancestor's Recusancy.

IV. Provided always, and be it enacted by Authority of this present Parliament, That if the Heir of any Recusant shall happen to be within the Age of Sixteen Years at the Time of the Decease of his or her Ancestor, and shall, after his or her said Age of Sixteen Years, become or be a Recusant, that in every such Case, any such Heir shall not be freed or discharged of all or any of the Penalties, Charges and Incumbrances happening upon him or her in respect or by reason of any of his or her Ancestor's Recusancy, until he or she shall submit or reform him or herself, and become obedient to the Laws and Ordinances of the Church of *England*, and repair to the Church, and continue there during the Time of the Divine Service and Sermons, according to the Intent and true Meaning of the said Statutes and Ordinances in that Behalf as is afore said, and shall take the said Oath of Supremacy in Manner and Form afore expressed; and yet nevertheless, from and after such Submission and Oath had and taken, every such Heir shall be freed and discharged of all and singular the Penalties, Charges and Incumbrances happening upon him or her in respect or by Reason of any of his or her Ancestors Recusancy.

V. And be it further enacted by Authority of this present Parliament, That where any Seizure shall be had of the Two Parts of any Lands, Tenements, Hereditaments, Leases or Farms, for the not Payment of the Twenty Pounds, due and payable for each Month, according to the Statute in that case lately made and provided; That in every such Case, every such Two Parts shall, according to the Extent thereof, go towards the Satisfaction and Payment of the Twenty Pounds due and payable for each Month, and unpaid by any such Recusant: And that the Third Part thereof shall not be extended or seized by the King's Majesty, his Heirs or Successors, for not Payment of the said Twenty Pounds payable for each Month forfeited or lost by any such Recusant: And where any such Seizure shall be had of the Two Parts of the Lands, Tenements, Hereditaments, Leases or Farms of any such Recusant as is afore said, and such Recusant shall die, (the Debt or Duty, by Reason of his Recusancy), not paid, satisfied or discharged, that in every such Case, the same Two Parts shall continue in his Majesty's possession, until the Residue or Remainder of the said Debt or Duty be thereby or otherwise paid, satisfied or discharged: And that his Majesty, his Heirs or Successors, shall not seize or extend any Third Part descending to any such Heirs or any Part thereof, either by reason of the Recusancy of his or her Ancestor, or of the Recusancy of any such Heir.

VI. And be it further enacted by the Authority of this present Parliament, That all and every Person and Persons under the King's Obedience, which at any Time (after the End of this Session

Session of Parliament) shall pass or go, or shall send or cause to be sent, any Child, or other Person under their or any of their Government, into any the Parts beyond the Seas, out of the King's Obedience, to the Intent to enter into, or to be resident in any College, Seminary or House of Jesuits, Priests or any other Popish Order, Profession or Calling whatsoever, or repair in or to any the same, to be instructed, persuaded or strengthened in the Popish Religion, or in any sort to profess the same; every such Person so sending or causing to be sent, any Child or other Person, beyond the Seas to any such Purpose or Intent, shall for every such Offence forfeit to his Majesty, his Heirs and Successors, the Sum of One hundred Pounds: And every such Person so passing or being sent beyond the Seas to any such Intent or Purpose as is aforesaid, shall by Authority of this present Act, as in respect of him or herself only, and not to or in respect of any of his Heirs or Posterity, be disabled and made incapable to inherit, purchase, take, have or enjoy any Manors, Lands, Tenements, Annuities, Profits, Commodities, Hereditaments, Goods, Chattels, Debts, Duties, Legacies or Sums of Money, within this Realm of *England*, or any other his Majesty's Dominions: And that all and singular Estates, Terms and other Interests whatsoever hereafter to be made, suffered or done, to or for the Use or Behoof of any such Person or Persons, or upon any Trust or Confidence, mediately or immediately, to or for the Benefit or Relief of any such Person or Persons, shall be utterly void and of none Effect, to all Intents, Constructions and Purposes. [See 3 Car. 1. c. 2. § 1.]

Penalty.

VII. And be it further enacted by the Authority aforesaid, That if any Person born within this Realm or any the King's Majesty's Dominions, be at this present in any College, Seminary, House or Place in any Parts beyond the Seas, to the End to be instructed or strengthened in the Popish Religion, which shall not make Return into this Realm, or some of his Majesty's Dominions, within One Year next coming after the End of this Session of Parliament, and submit himself as is aforesaid, shall be in respect of himself only, and not to or in respect of any of his Heirs or Posterity, utterly disabled and incapable to inherit, have or enjoy any Manors, Lands, Tenements, Hereditaments, Goods, Chattels, Debts or other Things aforesaid, within this Realm or any other his Majesty's Dominions (a). Provided always, That if any such Person or Child so passing, sent, sending or now being, beyond the Seas as aforesaid, to such Intent as is before mentioned, shall after become conformable and obedient unto the Laws and Ordinances of the Church of *England*, and shall repair to the Church, and there remain and be as is aforesaid, and continue in such Conformity, according to the true Intent and Meaning of the said Statutes and Ordinances; that in every such Case every such Person and Child, for and during such Time as he or she shall so continue in such Conformity and Obedience, shall be freed and discharged of all and every such Disability and Incapacity as is before mentioned. (a) [See 31 G. 3. c. 32. § 21. 35 G. 3. c. 99.]

Those in Seminaries shall return.

Returning and conforming.

VIII. And be it further enacted by the Authority of this present Parliament, That no Woman, nor any Child under the Age of One and twenty Years (except Sailors or Ship Boys, or the Apprentice or Factor of some Merchant in Trade of Merchandize) shall be permitted to pass over the Seas (except the same shall be

Woman or Child passing over Sea.

by

by Licence of the King, his Heirs or Successors, or of some Six or more of the King's Privy Council, thereunto first had under their Hands) upon Pain that the Officers of the Port that shall willingly or negligently suffer any such to pass, or shall not enter the Names of such Passengers licensed, shall forfeit his Office, and all his Goods and Chattels; and upon Pain that the Owner of any Ship or Vessel that shall wittingly or willingly carry any such over the Seas without Licence as is aforesaid, shall forfeit his Ship or Vessel and all the Tackle: And every Master or Mariner of or in any such Ship or Vessel offending as aforesaid, shall forfeit all their Goods, and suffer Imprisonment by the Space of Twelve Months, without Bail or Mainprize.

IX. And be it further enacted by the Authority aforesaid, That no Person after the Feast of *St. Michael* the Archangel next shall keep any School, or be a School Master, out of any the Universities or Colleges of this Realm, except it be in some publick or free Grammar School, or in some such Nobleman's or Nobleswoman's or Gentleman's or Gentlewoman's House, as are not Recusants, or where the same School Master shall be specially licensed thereunto by the Archbishop, Bishop or Guardian of the Spiritualities of that Diocese; upon Pain that as well the School Master, as also the Party that shall retain or maintain any such School Master contrary to the true Intent and Meaning of this Act, shall forfeit each of them for every Day so wittingly offending, Forty Shillings. The one Half of all the Penalties and Sums of Money before mentioned to be forfeited, to be to the King, his Heirs and Successors, the other to him or them that shall or will sue for the same, in any the Courts of Record in *Westminster*, by Action of Debt, Bill, Plaint or Information, in which no Essoin, Protection or Wager of Law shall be allowed.

C A P. V.

An Act to prevent the Over-charge of the People by Stewards of Court Leets and Court Barons.

WHEREAS the King's most excellent Majesty, the Lords Spiritual and Temporal, and other his Highness' Subjects of this Realm of *England* and *Wales*, have in divers Places of the same many Franchises, Jurisdictions, Privileges and Liberties to keep Court Leets or Court Barons, for the true Administration of Justice, and to the Punishing and Suppressing of Offences; the Profits and Perquisites of which Courts have heretofore been used to be levied and collected by the Bailiff or other Minister of such Court, and by him accounted for to his Highness' Progenitors, or other Lords or Ladies of such Courts and Manors, and as of Right it ought so to be: But now by Reason of the great Increase of People, the said Profits and Perquisites of Courts are grown to be of a better yearly Value than in ancient Time it hath been, divers that are now Stewards of such Courts have heretofore in their own Names, or in the Names of some other to their Use, obtained and gotten divers Grants of all the Profits and Perquisites of such Courts whereof they are Stewards, whereby many of his Majesty's Subjects are unjustly vexed, and by grievous Fines and Amerciaments unduly punished, greatly to the wronging and impoverishing of the Tenants

' Tenants and Inhabitants where such Stewards are, proceeding
' out of a greedy Desire to make and obtain undue and extraordi-
' nary Gain to themselves: It is therefore by the Authority of
this present Parliament established and enacted, That no Steward,
Deputy Steward, or other Under Steward, of any the Courts
aforesaid, shall directly or indirectly, in his own Name, or in the
Name of any other, from and after the Expiration of One Year
next after the End of this Session of this present Parliament, take,
receive or make Benefit to his own Use, in Money, Goods or any
other Thing, to the Value of Twelve pence or more, by virtue or
colour of any Demise or Grant hereafter to be made of any the
Profits or Perquisites, or Amerciaments of any such Courts
whereof they are Steward, which rightfully shall belong to the
Lords of the same; upon Pain that every Steward offending
contrary to the Tenor of this present Act of Parliament, shall, for
every such his Offence, forfeit the Sum of Forty Pounds, and to
be disabled ever after to be Steward of such Court, or of any other;
the one Half of the Forfeiture to be to our Sovereign Lord the
King's Majesty, his Heirs and Successors; the other Half to any
of his Majesty's Subjects that shall complain in any of his High-
ness' Courts of Record, by Action of Debt, Bill, Plaint or Informa-
tion; in which Suit no Effoin, Protection, Wager of Law or
other dilatory Plea shall be allowed.

A Steward of a
Court shall not
take Benefit by
Profit of same
Court.

Penalty.

C A P. VI.

An Act made for the Explanation of the Statute made in the
Fifth Year of the late Queen *Elizabeth's* Reign, concern-
ing Labourers.

' **W**HEREAS by an Act made in the Parliament holden at
' *Westminster* in the Fifth Year of the Reign of the late
' Queen *Elizabeth* of famous Memory, intituled, *An Act touching* 5 *Eliz. c. 4. § 15.*
' *divers Orders for Artificers, Labourers, Servants of Husbandry and*
' *Apprentices*, it was provided and enacted by the Authority of
' the same Parliament, for the Declaration and Limitation what
' Wages Servants, Labourers and Artificers, either by the Year
' or Day, or otherwise, should have and receive, That the Justices
' of Peace of every Shire, Riding or Liberty, within the Limits
' of their several Commissions, or the more Part of them, being
' then resident within the same, and the Sheriff of that County,
' if he conveniently may, and every Mayor, Bailiff or other Head
' Officer, within any City or Town Corporate, wherein is any
' Justice of Peace within the Limits of the said City or Town
' Corporate, and of the said Corporation, should before the Tenth
' Day of *June* next coming, and afterwards should yearly at every
' General Sessions first to be holden and kept after *Easter*, or at
' some Time convenient within Six Weeks next following every
' of the said Feasts of *Easter*, assemble themselves together; and
' they so assembled, calling unto them such discreet and grave
' Persons of the said County, or of the said City or Town Cor-
' porate, as they shall think meet, and conferring together, re-
' specting the Plenty or Scarcity of the Time, and other Circum-
' stances necessarily to be considered, should have Authority by
' virtue thereof, within the Limits or Precincts of their several
' Commissions, to limit, rate and appoint the Wages, as well of
' such

and appointed; and also the Wages of all other Labourers, Artificers, Workmen or Apprentices of Husbandry which have not been rated, as they the same Justices, Mayors or Head Officers within their several Commissions or Liberties should think meet by their Discretions to be rated, limited or appointed, by the Year, or by the Day; Week, Month or otherwise, with Meat and Drink, or without Meat and Drink; and what Wages every Workman should take by the Great for Mowing, Reaping or Thrashing of Corn and Grain, and for Mowing and Making of Hay, or for Ditching, Paling, Railing or Hedging by the Rod, Perch, Lugge, Yard, Pole, Rope or Foot, and for any other Kind of reasonable Labours or Service; and should yearly before the Twelfth Day of *July* next after the said Assesment and Rate so appointed and made, certify the same ingrossed in Parchment, with the Considerations and Causes thereof, under their Hands and Seals, into the said Queen's most honourable Court of Chancery, to the End that Proclamation should be made in the Name of the Queen's Majesty, her Heirs or Successors, for observing of the same Rates, in such Sort, Manner and Form as in the said Act more at large is declared.

II. And whereas the said Act hath not according to the true Meaning thereof, been duly put in Execution, whereby the Rates of Wages for poor Artificers, Labourers and other Persons, whose Wages was meant to be rated by the said Act, have not been rated and proportioned according to the Plenty, Scarcity, Necessity and Respect of the Time, which was politickly intended by the said Act; by reason that Ambiguity and Question have risen and been made, whether the rating of all manner Artificers, Workmen and Workwomen, his and their Wages, other than such as by some Statute and Law have been rated, or else such as did work about Husbandry, should or might be rated by the said Law: Forasmuch as the said Law hath been found beneficial for the Commonwealth;

9 Eliz. c. 4. § 15.
Labourers Wages
rated by Justices.

III. Be it enacted by Authority of this present Parliament, That the said Statute, and the Authority by the same Statute given to any Person or Persons for assessing and rating of Wages and the Authority to them in the said Act committed, shall be expounded and construed and shall by Force of this Act give Authority to all Persons having any such Authority, to rate Wages of any Labourers, Weavers, Spinsters and Workmen or Workwomen whatsoever, either working by the Day, Week, Month, Year, or taking any Work at any Person or Persons Hand whatsoever, to be done in Great or otherwise.

IV. And whereas in divers Shires within this Realm, the Justices of Peace have not usually kept their General Sessions in one Place of the Shire together, but the General Sessions have been kept in several Places for several Divisions, by reason whereof the most Part of the Justices of the Peace coming not together, no rating of Wages could be well made in the said Shire where such General Sessions have been used; and for other Respects:

V. Be

Continuance.

A Clothier being
a Justice of Peace.

same be in any Shire, be kept by the *Custos Rotularum* of the said County, amongst the Records in his Custody for the said Shire, and in any City or Town Corporate, amongst the Records of the said City or Town Corporate. This Act to continue until the End of the next Parliament.

IX. Provided nevertheless, and be it enacted by the Authority aforesaid, That no Clothier being a Justice of Peace in any Precinct or Liberty, shall be any Rater of any Wages for any Weaver, Tucker, Spinster or other Artizan that dependeth upon the making of Cloth: And in case there be not above the Number of Two Justices of the Peace within such Precinct or Liberty, but such as are Clothiers; That in such Case, the same Wages shall be rated and assessed by the major Part of the Common Council of such Precinct or Liberty, and such Justice or Justices of Peace (if any there be) as are not Clothiers.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.]

C A P. VII.

An Act for the Continuance and Explanation of the Statute made in the 39th Year of the Reign of our late Queen *Elizabeth*, intituled, *An Act for Punishment of Rogues, Vagabonds and Sturdy Beggars.*

39 Eliz. c. 4.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4. But repealed, 12 Ann. Stat. 2. c. 23.]

C A P. VIII.

An Act to take away the Benefit of Clergy for some Kind of Manlaughter.

‘ TO the End that stabbing and killing Men on the sudden, done and committed by many inhumane and wicked Persons, in the Time of their Rage, Drunkenness, hidden Displeasure or other Passion of Mind, contrary to the Commandment of Almighty God, and the common Peace and Tranquillity of this Realm, may from henceforth be restrained through fear of due Punishment to be inflicted on such cruel and bloody Malefactors, who heretofore have been thereunto emboldened by presuming on the Benefit of Clergy:’

Stabbing.

II. Be it therefore enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That every Person and Persons which after One Month next ensuing the End of this present Session of Parliament, shall stab or thrust any Person or Persons that hath not then any Weapon drawn, or that hath not then first stricken the Party which shall so stab or thrust, so as the Person or Persons so stabbed or thrust shall thereof die within the Space of Six Months then next following, although it cannot be proved that the same was done of Malice forethought, yet the Party so offending, and being thereof convicted by Verdict of Twelve Men, Confession or otherwise, according to the Laws of this Realm, shall be excluded from the Benefit of his or their Clergy, and suffer Death as in case of wilful Murder.

Death.

Killing another
in Self-defence

III. Provided always, That this Act or any Thing therein contained, shall not extend to any Person or Persons which shall

kill

kill any Person or Persons *se defendendo*, or by Misfortune, or in any other manner than as aforesaid; nor shall extend to any Person or Persons which in keeping and preserving the Peace shall chance to commit Manslaughter, so as the said Manslaughter be not committed wittingly, willingly and of Purpose, under Pretext and Colour of keeping the Peace; nor shall extend to any Person or Persons which in chastising or correcting his Child or Servant, shall besides his or their Intent and Purpose chance to commit Manslaughter. This Act to continue until the End of the First Session of the next Parliament.

or by Misfortune, &c.

Continuance,

[Continued, 3 Car. I. c. 4. § 22. 16 Car. I. c. 4.]

C A P. IX.

An Act to restrain the inordinate Haunting and Tipling in Inns, Alehouses and other Victualling-Houses.

WHEREAS the ancient, true and principal Use of Inns, Alehouses and Victualling-houses was for the Receipt, Relief and Lodging of Wayfaring People travelling from Place to Place, and for such Supply of the Wants of such People as are not able by greater Quantities to make their Provision of Victuals, and not meant for Entertainment and Harboursing of lewd and idle People to spend and consume their Money and their Time in lewd and drunken Manner:

II. Be it therefore enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if after Forty Days next ensuing after the End of this present Session of Parliament, any Inn-keeper, Victualler or Alehouse-keeper, within this Realm of *England* or the Dominion of *Wales*, do permit or suffer any Person or Persons inhabiting and dwelling in any City, Town Corporate, Market Town, Village or Hamlet, within this Realm of *England* or Dominion of *Wales*, where any such Inn, Alehouse or Tipling-house is or shall be, to remain and continue drinking or tipling in the said Inn, Victualling-house, Tipling-house or Alehouse; other than such as shall be invited by any Traveller, and shall accompany him only during his necessary Abode there; and other than Labouring and Handicraftsmen in Cities and Towns Corporate, and Market Towns, upon the usual Working Days, for one Hour at Dinner-time to take their Diet in an Alehouse; and other than Labourers and Workmen, which for the following of their Work by the Day or by the Great, in any City, Town Corporate, Market Town or Village, shall, for the Time of their said continuing in Work there, sojourn, lodge or victual in any Inn, Alehouse or other Victualling-house, other than for urgent and necessary Occasions to be allowed by Two Justices of Peace; That then every such Inn-keeper, Victualler or Alehouse-keeper, shall, for every such Offence forfeit and lose the Sum of Ten Shillings of current Money of *England*, to the Use of the Poor of the Parish where such Offence shall be committed; the same Offence being viewed and seen by any Mayor, Bailiff or Justice of Peace, within their several Limits, or proved by the Oath of Two Witnesses to be taken before any Mayor, Bailiff, or any other Head Officer, or any one or more Justice or Justices of the Peace, who by virtue of this Act shall be authorized to minister

Alehouse-keeper permitting Continuance of Drinking in his House.

Penalty.

Two Witnesses

the said Oath to any Person or Persons that can or will justify the same, being within the Limits of their said Commission. [One Witness sufficient, 21 Jac. I. c.7. § 1.]

Prices of Ale
and Beer sold in
Inn or Alehouse.

Penalty.

Distress.

Imprisonment.

Constables or
Churchwardens
omitting Duty.

Penalty.

Constable and
Churchwarden's
Account.

Laws in force.

III. And be it further enacted by the Authority aforesaid, That if any Inn-keeper, Alehouse-keeper or Victualler, shall at any Time utter or sell less than one full Ale Quart of the best Beer or Ale for a Penny, and of the Small, Two Quarts for One Penny, that then every such Inn-keeper, Alehouse-keeper or Victualler, shall forfeit for every such Offence, being duly proved in Manner above limited, the Sum of Twenty Shillings of lawful Money of *England* to the Use abovesaid, all and every the said Penalties to be levied by the Constables or Churchwardens of the Parish or Parishes where the Offence or Offences shall be committed by way of Distress to be taken and detained for the said Forfeitures, and for Default of Satisfaction within Six Days next ensuing, the same then to be presently appraised and sold, and the Surplusage or Remainder over and above to be delivered to the Party of whom the Distress was taken; and for want of sufficient Distress the Party or Parties offending to be by the Mayor, Bailiff or other Head Officer, or Justice or Justices aforesaid, committed to the Common Gaol, there to remain until the said Penalty or Penalties be truly paid.

IV. And be it further enacted by the Authority aforesaid, That if the Constables or Churchwardens do neglect their Duty in levying, or do not levy the said several Penalties, or in Default of Distresses or Distresses, from Time to Time do neglect to certify the same Default or Distress by the Space of Twenty Days then next ensuing, to the Mayor, Bailiff, other Head Officer or Justice of Peace within whose Jurisdiction the Offence is committed, then every Person and Persons so offending shall forfeit for every such Default the Sum of Forty Shillings of current Money of *England*, to the Use of the Poor of the Parish where such Offence shall be committed, to be levied by way of Distress of the Offender's Goods, by Warrant from any One or more Justice or Justices of the Peace, Mayor, Bailiff or other Head Officer, within the Limits of their Jurisdictions respectively, under his or their Hand and Seal to be taken and detained for the said Forfeitures for the Space of Six Days then next ensuing, within which Time if Payment be not made the same Goods to be presently appraised and sold, and the Surplusage and Remainder over and above (if any be) to be delivered to the Party of whom the Distress was taken; and for want of such sufficient Distress the Constables, Churchwarden or Churchwardens so offending, to be by the Mayor, Bailiff or other Head Officer, Justice or Justices of Peace, committed to the Common Gaol, there to remain until the said Penalty or Penalties be truly paid, for all which Penalties which so shall be levied by the said Constables or Churchwardens, they the said Constables and Churchwardens shall be accountable to their Successors and other the Parishioners in such Sort as they usually be in other Church- reckonings or Accounts; and for all Forfeitures to be levied by reason of any Neglect of the Constables or Churchwardens those shall be accountable who by force of any Warrant or Precept do levy the same, or upon the Enlargement of Persons committed do receive the same.

V. And be it further enacted, That all other Laws and Statutes touching Inn Keepers, Victuallers and Alehouse Keepers, shall still

still remain in their former Force, and be put in due Execution. This Act to continue to the End of the First Session of the next Parliament. Continuance.

VI. Provided always, and be it enacted by the Authority of this present Parliament, That the Correction and Punishment of such as shall offend against this Act or any Part thereof, within either of the Two Universities of this Realm or the Precincts or Liberties of the same, shall be done upon the Offenders, and Justice shall be ministered in this Behalf according to the Intent and true Meaning of this Law, by the Governors, Magistrates, Justices of the Peace or other principal Officers of either of the same Universities, to whom in other Cases the Administration of Justice, and Correction and Punishment of Offenders by the Laws of this Realm and their several Charters doth belong or appertain, and that no other within their Liberties for any Matter concerning this Law, contrary to their several Charters, do intermeddle; and that all Penalties and Sums of Money to be forfeited or lost by force of this Act, within either of the Universities or the Liberties or Precincts of the same, shall be levied by the Officers or Ministers of either of the said Universities, to be from Time to Time in that Behalf appointed by the Vice Chancellors thereof for the Time being respectively, and that all Powers and Authorities either of Imprisonment or otherwise before given or appointed by this Act, shall by the Governors, Magistrates and principal Officers abovesaid of either of the said Universities be duly executed and done within either of the said Universities and the Liberties and Precincts of the same, according to the true Intent and Meaning of this Act.

Provido as to Offences committed within the Universities.

[Made perpetual, 21 Jac. 1. c. 7. § 1.]

C A P. X.

An Act for the better Execution of Justice.

‘FORASMUCH as all Exactions, Extortions and Corruptions are odious, and prohibited in all well governed Commonwealths,’ Be it enacted, That no Person to whom any Order or Cause shall be committed or referred by any of the King’s Judges, or Courts at *Westminster*, or any other Court, shall directly or indirectly, or by any Art, Shift, Colour or Device, have, take or receive any Money, Fee, Reward, Covenant, Obligation, Promise, Agreement or any other Thing, for his Report or Certificate by Writing or otherwise, upon Pain of the Forfeiture of One Hundred Pounds for every such Report or Certificate, and to be deprived of his Office and Place in the same Court; the One Moiety of the said Forfeitures to be to our Sovereign Lord the King, his Heirs and Successors, the other Moiety to the Party grieved which will sue for the same, at any Time during the said Suit, or within One Year after the same Cause discontinued or decreed; and in his Default of such Suit, to him or them that will sue for the same, by Original Writ, Bill, Complaint or Information, in his Majesty’s High Court of Star Chamber (a), or in any his Majesty’s Courts of Record at *Westminster*, in which Suit by Writ, Bill, Complaint or Information, no Wager of Law, Effoin, Privilege, perseades, Protection, or any other Delay shall be suffered or committed.

No Fee for Report of Cause referred by Court.

Penalty.

(a) [Star Chamber abolished, 16 Car. 1. c. 10. § 3.]

Fes for writing
Report.

Penalty.

II. Provided nevertheless, That it shall be lawful for the Clerk to take for his Pains for writing of every such Report or Certificate Twelve Pence for the First Side, and Two Pence for every Side after, and no more, upon Pain to forfeit Ten Shillings for every Penny taken over and above the said Sum, to be had and recovered as aforesaid.

C A P. XI.

An Act to restrain all Persons from Marriage until their former Wives and former Husbands be dead.

Marrying a
Second Husband or Wife,
the former being
living.

‘FORASMUCH as divers evil disposed Persons being married, run out of one County into another, or into Places where they are not known, and there become to be married, having another Husband or Wife living, to the great Dishonour of God, and utter undoing of divers honest Men’s Children, and others:’ Be it therefore enacted by the King’s Majesty, with the Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, That if any Person or Persons within his Majesty’s Dominions of *England and Wales*, being married, [or which hereafter shall marry] do at any Time after [the End of the Session of this present Parliament] marry any Person or Persons, the former Husband or Wife being alive, that then every such Offence shall be Felony, and the Person and Persons so offending shall suffer Death as in Cases of Felony; and the Party and Parties so offending shall receive such and the like Proceeding, Trial and Execution in such County where such Person or Persons shall be apprehended, as if the Offence had been committed in such County where such Person or Persons shall be taken or apprehended.

Death.

Husband or Wife
being absent
Seven Years.

II. Provided always, That this Act nor any Thing therein contained, shall extend to any Person or Persons whose Husband or Wife shall be continually remaining beyond the Seas by the Space of Seven Years together, or whose Husband or Wife shall absent him or herself the one from the other by the Space of Seven Years together, in any Parts within his Majesty’s Dominions, the one of them not knowing the other to be living within that Time,

To whom Statute
shall not extend.

III. Provided also, and be it enacted by the Authority aforesaid, That this Act nor any Thing herein contained, shall extend to any Person or Persons that are or shall be at the Time of such Marriage divorced by any Sentence had or hereafter to be had in the Ecclesiastical Court, or to any Person or Persons where the former Marriage hath been or hereafter shall be by Sentence in the Ecclesiastical Court declared to be void and of no Effect; nor to any Person or Persons for or by reason of any former Marriage had or made, or hereafter to be had or made within Age of Consent.

Corruption of
Blood, &c.

IV. Provided also, That no Attainder for this Offence made Felony by this Act shall make or work any Corruption of Blood, Loss of Dower or Disinheritance of Heir or Heirs.

[Rendered more effectual, 35 G. 3. c. 67.]

C A P. XII.

An Act against Conjuration, Witchcraft and dealing with evil and wicked Spirits.

BE it enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the Statute made in the Fifth Year of the Reign of our late Sovereign Lady of most famous and happy Memory, Queen *Elizabeth*, intituled, *An Act against Conjuracions, Incantments and Witchcrafts*, be from the Feast of *Saint Michael* the Archangel next coming, for and concerning all Offences to be committed after the same Feast, utterly repealed. 5 Eliz. c. 16. repealed.

II. And for the better restraining the said Offences, and more severe punishing the same, Be it further enacted by the Authority aforesaid, That if any Person or Persons after the said Feast of *Saint Michael* the Archangel next coming, shall use, practise or exercise any Invocation or Conjuration of any evil and wicked Spirit; or shall consult, covenant with, entertain, employ, feed or reward any evil and wicked Spirit to or for any Intent or Purpose, or take up any dead Man, Woman or Child out of his, her or their Grave, or any other Place where the dead Body resteth, or the Skin, Bone or any other Part of any dead Person, to be employed or used in any manner of Witchcraft, Sorcery, Charm or Incantment; or shall use, practise or exercise any Witchcraft, Incantment, Charm or Sorcery, whereby any Person shall be killed, destroyed, wasted, consumed, pined or lamed in his or her Body, or any Part thereof, that then every such Offender or Offenders, their Aiders, Abettors and Counsellors, being of any the said Offences duly and lawfully convicted and attainted, shall suffer Pains of Death as a Felon or Felons and shall lose the Privilege and Benefit of Clergy and Sanctuary. Conjuration, &c. whereby any Person is killed or lamed. Death. [Sanctuary abolished, 21 Jac. 1. c. 28. § 7.]

III. And farther, to the Intent that all manner of Practice, Use or Exercise of Witchcraft, Incantment, Charm or Sorcery should be from henceforth utterly avoided, abolished and taken away; Be it enacted by the Authority of this present Parliament, That if any Person or Persons shall from and after the said Feast of *Saint Michael* the Archangel next coming, take upon him or them by Witchcraft, Incantment, Charm or Sorcery to tell or declare in what Place any Treasure of Gold or Silver should or might be found or had in the Earth or other secret Places, or where Goods or Things lost or stolen should be found or become; or to the Intent to provoke any Person to unlawful Love; or whereby any Cattle or Goods of any Person shall be destroyed, wasted or impaired; or to hurt or destroy any Person in his or her Body; although the same be not affected and done; that then all and every such Person and Persons so offending, and being thereof lawfully convicted, shall, for the said Offence suffer Imprisonment by the Space of One whole Year, without Bail or Mainprize, and Once in every Quarter of the said Year, shall, in some Market Town upon the Market Day, or at any such Time as any Fair shall be kept there, stand openly upon the Pillory by the Space of Six Hours, and there shall openly confess his or her Error and Offence. Declaring by Witchcraft, &c. where any Thing is hidden, procuring unlawful Love, &c. Imprisonment. Pillory.

Second Offence.
Felony.

IV. And if any Person or Persons being once convicted of the same Offences as is aforesaid, do afterwards perpetrate and commit the like Offence; that then every such Offender being of any the said Offences the Second Time lawfully and duly convicted and attainted as is aforesaid, shall suffer Pains of Death as a Felon or Felons, and shall lose the Benefit and Privilege of Clergy and Sanctuary; saving to the Wife of such Person as shall offend in any Thing contrary to this Act her Title of Dower; and also to the Heir and Successor of every such Person, his or their Titles of Inheritance, Succession and other Rights as though no such Attainder of the Ancestor or Predecessor had been made.

Dower Inheritance.

Peers.

V. Provided always, That if the Offender in any the Cases aforesaid, shall happen to be a Peer of this Realm, then his Trial therein to be had by his Peers, as it is used in Cases of Felony or Treason, and not otherwise.

[*Repealed, 9 G. 2. c. 5. except so much thereof as repeals 5 Eliz. c. 16.*]

C A P. XII.

An Act for new Executions to be sued against any which shall hereafter be delivered out of Execution by Privilege of Parliament, and for discharge of them out of whose Custody such Persons shall be delivered.

FORASMUCH as heretofore Doubt hath been made if any Person being arrested in Execution, and by Privilege of either of the Houses of Parliament set at Liberty, whether the Party at whose Suit such Execution was pursued, be for ever after barred and disabled to sue forth a new Writ of Execution in that Case:

New Execution.

II. For the avoiding of all further Doubt and Trouble which in like Cases may hereafter ensue, Be it enacted by the King's most Excellent Majesty, by the Lords Spiritual and Temporal, and by the Commons, in this present Parliament assembled, That from henceforth the Party at or by whose Suit such Writ of Execution was pursued, his Executors or Administrators, after such Time as the Privilege of that Session of Parliament in which such Privilege shall be so granted shall cease, may sue forth and execute a new Writ or Writs of Execution in such Manner and Form as by the Law of this Realm he or they might have done if no such former Execution had been taken forth or served; and that from henceforth no Sheriff, Bailiff or other Officer from whose Arrest or Custody any such Person so arrested in Execution shall be delivered by any such Privilege, shall be charged or chargeable with or by any Action whatsoever, for delivering out of Execution any such privileged Person so as is aforesaid by such Privilege of Parliament set at Liberty; any Law, Custom or Privilege heretofore to the contrary notwithstanding.

Sheriff, &c. not chargeable.

Censure of Parliament.

III. Provided always, That this Act, or any Thing therein contained shall not extend to the diminishing of any Punishment to be hereafter by Censure in Parliament inflicted upon any Person which hereafter shall make or procure to be made any such Arrest as is aforesaid.

C A P. XIV.

An Act for Recovery of Small Debts, and relieving of Poor Debtors in *London*.

[*Repealed, 3 Jac. I. c. 15. § 7.*]

C A P. XV.

An Act for the better Relief of the Creditors against such as shall become Bankrupt.

FOR that Frauds and Deceits, as new Diseases, daily increase amongst such as live by buying and selling, to the Hindrance of Traffick and mutual Commerce, and to the general Hurt of the Realm, by such as wickedly and wilfully become Bankrupts; and for that the Description of a Bankrupt in former Statutes is not so fully expressed, nor the Power given thereby to the Commissioners for Bankrupts so large, as is meet in such Cases of Deceit to prevent the deceitful Actions of Bankrupts: 34 & 35 H. 8. c. 4. 13 Eliz. c. 7.

II. For Remedy whereof, Be it therefore enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every such Person and Persons using or that shall use the Trade of Merchandize, by way of Bargaining, Exchange, Bartry, Chevissance or otherwise in Gross, or by Retail, or seeking his, her or their Trade of living by buying and selling, and being a Subject born of this Realm or any the King's Dominions or Denizen, who at any Time sithence the First Day of this present Parliament, or at any Time hereafter, shall depart the Realm, or begin to keep his or her House or Houses, or otherwise to absent him or herself, or take Sanctuary (a), or suffer him or herself willingly to be arrested for any Debt or other Thing not grown or due for Money delivered, Wares sold, or any other just or lawful Cause or good Consideration or Purposes, or hath or will suffer him or herself to be outlawed, or yield him or herself to Prison, or willingly or fraudulently hath or shall procure him or herself to be arrested, or his or her Goods, Money or Chattels to be attached or sequestred, or depart from his or her Dwelling-house, or make or cause to be made any fraudulent Grant or Conveyance of his, her or their Lands, Tenements, Goods or Chattels, to the Intent, or whereby his, her or their Creditors, being Subjects born as aforesaid, shall or may be defeated or delayed for the Recovery of their just and true Debts, or being arrested for Debt shall, after his or her Arrest, lie in Prison Six Months (b) or more upon that Arrest, or upon any other Arrest or Detention in Prison for Debt, and lie in Prison Six Months upon such Arrest or Detention, shall be accounted and adjudged a Bankrupt to all Intents and Purposes. (a) [*Sanctuary abolished, 21 Jac. I. c. 28. § 7.*] (b) [*Two Months, 21 Jac. I. c. 19. § 2.; but see as to this and other Acts describing Bankrupts, 10 Ann. c. 15. § 1.*]

Who shall be adjudged Bankrupts.

III. And be it further enacted by the Authority of this present Parliament, That the like Commissions, Orders, Benefits and Remedies which are and be provided and limited by the said former Act of Parliament (made in 13 *nuper Eliz. Regina*) against any The like Commissions, &c. as provided.

23 Eliz. c. 7.

any Bankrupt therein described, or for or concerning his, her or their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandizes and Debts, or any of them, shall be had, pursued, taken and expounded against such Person and Persons that are herein expressed to be Bankrupts, his, her and their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandizes and Debts, in such like Manner and Form as the same ought or might have been, if the Persons herein described to be Bankrupts had been described to be Bankrupts according to the Intent of the said former Statute.

New Creditors
partakers with
the former.

IV. And that it shall be lawful for any of the Creditors of the said Bankrupt within Four Months after any such Commission shall be sued forth, and until Distribution shall be made by the said Commissioners for the Payment of the Bankrupt's Debt, as in such Case hath been used, to partake and join with the other Creditors that shall sue forth any such Commission, for Satisfaction and Payment of his, her or their Debts to him or them owing, without any Hindrance, Let or Disturbance of any of the same Commissioners, or of any of the other Creditors of any such Bankrupts, the same Creditors so coming in to contribute to the Charges of the said Commission; and that if the Creditors come not in within Four Months, then the Commissioners to have Power to distribute.

[See further, 5-G. 2. c. 30. § 25.]

Bankrupt con-
veying his Lands,
&c. to others, or
transferring his
Debts into other
Men's Names.

V. Be it further enacted, That if any Person which hereafter is or shall be a Bankrupt by Intent of this Statute, shall convey, or procure or cause to be conveyed to any of his Children, or other Person or Persons, any Manors, Lands, Tenements, Hereditaments, Offices, Fees, Annuities, Leases, Goods, Chattels, or transfer his Debts into other Men's Names, except the same shall be purchased, conveyed or transferred for or upon Marriage of any of his or her Children, both the Parties married being of the Years of Consent, or some valuable Consideration, shall be in the Power and Authority of the Commissioners on this Behalf to be appointed, or the more Part of them, to bargain, sell, grant, convey, demise or otherwise to dispose thereof, in as ample Manner as if the said Bankrupt had been actually seized or possessed thereof, or the Debts were in his own Name, of the like Estate or Interest to his or their own Use, at such Time as he or she became Bankrupt; and that every such Grant, Bargain, Sale, Conveyance and Disposition of the said Commissioners, or of the greater Part of them, shall be good and available to all Intents, Constructions and Purposes in the Law, against the Offender or Offenders, his Heirs, Executors, Administrators and Assigns, and such Children and Persons as shall be subject to this Statute, and against all other Person and Persons claiming by, from or under such Offender or Offenders, or such said other Persons to whom such Conveyance shall be made by the said Bankrupt, or by his Means or Procurement.

In what Case
Person with-
drawing himself
proclaimed a
Bankrupt.

VI. And for that the Practices of Bankrupts of late are so secret and so subtil as that they can very hardly be found out or brought to light, and for that the former Statute, giving Power to the Commissioners to examine others than the Bankrupts, hath not fully or sufficiently authorized them to examine the said Bankrupt upon Oath; For Remedy whereof, Be it further enacted

enacted by the Authority of this present Parliament; That the said Commissioners may call before them, or the greater Part of them, the said Bankrupt, and if upon lawful Warning left or made in Writing at Three several Times at the Dwelling-place or House where the said Bankrupt, his Wife or Family, for the most part of his Abode, did lodge or remain within One Year next before he, she or they became Bankrupt, the said Bankrupt shall not appear before the said Commissioners, or the greater Part of them, that then and from thenceforth it shall be lawful for the greater Number of the said Commissioners to appoint to proclaim the said Party a Bankrupt, at such publick Place or Places where the said Commissioners or the greater Part of them shall think meet, warning him, her or them to appear before them upon the said Commission at some Time appointed; and that if upon Five several Proclamations made in some publick Place, the Party offending appear not before the said Commissioners, and yield his, her or their Bodies to them or some of them, the said Commissioners, or the greater Part of them, shall or may award a Warrant to such fit Person or Persons as they think meet, to apprehend the Body and Bodies of the said Offender and Offenders, and to bring him, her or them so offending before the said Commissioners, wheresoever the said Party or Parties offending may be found, in Place privileged or not, to be examined by the said Commissioners or the greater Part of them.

Bankrupt upon
Warning refusing
to appear.

Privileged Places.

VII. And that it shall be lawful for the said Commissioners or the greater Part of them, to examine the said Offender or Offenders upon such Interrogatories touching the Lands, Tenements, Goods, Chattels, Debts, Bills, Bonds, Books of Account, and such other Things as may tend to disclose his, her or their Estate, or their secret Grants, Conveyances, and eloining of his, her or their Lands, Tenements, Goods, Money and Debts as they shall think meet.

Examination of
Bankrupt.

VIII. And that if therein the Offender or Offenders shall refuse to be examined or to answer fully to every Interrogatory to him to be ministred by the said Commissioners, or the greater Part of them, it shall be lawful for the said Commissioners, or the greater Part of them, to commit the said Offender or Offenders to some strait or close Imprisonment, there to remain until he, she or they shall better conform him or herself.

Bankrupt re-
fusing to answer.

IX. And that if upon his, her or their Examination it shall appear that he, she or they have committed any wilful or corrupt Perjury, tending to the Hurt or Damage of the Creditors of the said Bankrupt, to the Value of Ten Pounds of lawful Money of England, or above, the Party so offending shall or may thereof be indicted in any of the King's Majesty's Courts of Record, and being lawfully convicted thereof shall stand upon the Pillory in some publick Place by the Space of Two Hours, and have one of his Ears nailed to the Pillory and cut off,

Bankrupt com-
mitting Perjury.

Punishment.

X. And whereas by the former Statute made in the said Thirteenth Year of the Reign of the late Queen Elizabeth, the Commissioners for Bankrupts have Power given to them to send for such Person or Persons as the Creditors shall know, suppose or suspect to have, detain or keep any Part of the Money, Goods, Chattels or Debts of the said Offender or Offenders, or to be indebted to the said Offender or Offenders, to be examined

13 Eliz. c. 7.
§ 5, 6.

by

by the said Commissioners, as by the same Statute appeareth, but have not good Means or Remedy by Imprisonment or other Penalty, to procure the Person so sent for by them to appear before them, nor having appeared before them to make Answer upon his Oath to such Interrogatories as shall be ministred unto him by the said Commissioners, for and upon the Specialty, Certainty, true Declaration and Knowledge of such Lands, Tenements, Hereditaments, Goods, Debts or other Things of any such Offender or Offenders, as he or shall be, or which shall be suspected to be in his Custody, Use or Possession, or in the Custody, Use or Possession of any other to his Knowledge, and of all Debts owing to or for the Benefit of such Offender or Offenders, by himself or by any other to his Knowledge, so as many Times a great Part of the Offender or Offenders Lands, Tenements, Hereditaments, Goods, Chattels or Debts, which by the true Intent of the said Statute should be employed to the Satisfaction of the Creditors of the Offender or Offenders, are concealed or detained in the Hands of such Person and Persons as refuse to come, or being come refuse to be sworn before the said Commissioners, to be examined in that Behalf, to the great Encouragement of all Bankrupts and their wicked Confederates and Accessories, and to the great Hindrance of the just Remedies of the Creditors of the said Bankrupts for their true and just Debts to them owing: For Remedy whereof, be it further enacted by the Authority aforesaid, That if any Person or Persons being known, supposed or suspected to have or detain any Part of the Lands, Tenements or Hereditaments, Goods, Chattels or Debts of the said Bankrupt, or to be indebted to or for the Benefit of the said Bankrupt, shall, after lawful Warning to the said Person or Persons given, to come before the said Commissioners or the greater Part of them, to be examined according to the Intent of the said Statute, refuse to come or shall not come before the said Commissioners at the time appointed, having no lawful Impediment (such as shall be admitted and allowed of by the said Commissioners or the more Part of them, and which shall be then signified or made known to the said Commissioners at the time of their Assembly), or that any such Person or Persons having Knowledge or Warning of any other Assembly or Meeting of the said Commissioners again, shall not come and appear before them at such time as he or she lawfully may come, having no such lawful Impediment as shall be then made known to the said Commissioners, and by them admitted and allowed of as aforesaid, or being come before them shall refuse to be sworn, and to make answer to such Interrogatories as shall be ministred unto him or them, according to the true Intent and Meaning of the said Statute made in the said Thirteenth Year of the Reign of our said late Sovereign Lady Queen *Elizabeth*, or of this present Act, that then it shall be lawful for the said Commissioners or for the greater Part of them, to commit to such Ward and Prison, as to them or to the greater Part of them shall be thought meet, all such Person and Persons as shall so refuse to be sworn and make answer to such Interrogatories as shall be so ministred as aforesaid, and also to direct their Warrants to such Person or Persons as to them or the greater Part of them shall be thought meet, to apprehend and arrest such Person or Persons as shall refuse to come and appear before

Examination of
Persons having
Bankrupts
Goods, or being
indebted to them.

Refusing to ap-
pear, or to an-
swer to Inter-
rogatories.

§ 3 Eliz. c. 7.

before them as aforesaid, and to bring him, her or them before the said Commissioners or the greater Part of them, to be examined as aforesaid, and upon his, her or their Refusal to come, or to be examined before the said Commissioners as aforesaid, to commit the said Party so refusing to such Prison as the said Commissioners or the greater Part of them shall think meet, there to remain without Bail or Mainprize until such Time as the said Person so refusing to come or to be sworn to answer before the said Commissioners, shall submit him or herself to the said Commissioners, and be by them examined, according to the true Intent of the said Statute and of this present Act.

Imprisonment.

XI. Provided always, That such Witnesses as shall be so sent for, shall have such Costs and Charges as the Commissioners in their Discretion shall think fit, the same Charges to be rateably borne by the Creditors of the said Bankrupt, according to the Proportion of each of their several Debts; and if any Person or Persons other than the Bankrupt, either by Subornation, unlawful Procurement, sinister Perswasion, or Means of any others, or by his own Act, Consent or Agreement, shall wilfully and corruptly commit any manner of wilful Perjury by his Deposition to be taken before the said Commissioners or the greater Part of them as aforesaid, that then the Party or Parties so offending, and all and every Person and Persons that shall unlawfully and corruptly procure any such unlawful, wilful and corrupt Perjury, shall or may therefore be indicted in any of the King's Majesty's Courts of Record, and after his or their Conviction thereof shall incur such Forfeiture and receive and suffer such Pains and Punishment as are limited by the Statute made concerning Perjury in the Fifth Year of the Reign of our late Sovereign Lady Queen *Elizabeth*.

Witnesses.
Costs.

Perjury.

Penalty.

5 Eliz. c. 9.

XII. And be it further enacted, That all and every Sum and Sums of Money which shall be forfeited by force of this present Act, shall be sued for and recovered by the said Creditors only, or any of them that will sue for the same by Action of Debt, Bill, Plaint or Information in any of the King's Majesty's Courts of Record, and the Sum or Sums of Money so recovered, the Charges of Suit being deducted, shall be distributed and divided towards the Payment of the said Creditors of the Bankrupt.

How recovered,
&c.

XIII. And for that the Power and Authority given to the Commissioners of Bankrupts touching the Debts due to the said Bankrupts is not so full and perfect as that the full Benefit thereof in due Course might be employed to the Use of the said Creditors as was intended: For Remedy thereof, be it further enacted by the Authority aforesaid, That the Commissioners of Bankrupts, or the greater Part of them, shall have Power to grant and assign, or otherwise to order or dispose all or any of the Debts due or to be due to or for the benefit of the said Bankrupt, by what Person or Persons soever, or in what Manner and Form soever, to the Use of the Creditors of the said Bankrupt, according to the true Intent of the said former recited Statute of Bankrupts; and that the same Grant, Assignment or Disposition of the said Debts, in Form aforesaid to be made by the said Commissioners or the greater Part of them, shall so vest the Property, Right and Interest of the said Debt and Debts in the Person or Persons of him, her or them to whom it shall be granted, assigned or ordered by the said Commissioners or the greater Part of them,

Authority of
Commissioners
touching Debts
due to Bankrupt.

as fully to all Intents and Purposes as if the said Bill, Bond, Bonds, Statutes, Recognizances, Judgment or Contract, whereupon the said Debt or Debts, Deed or Deeds shall arise or grow, had been made to or with, or for the said Person or Persons to whom the same shall be so granted, assigned or disposed by the said Commissioners; and that after such Grant, Assignment or Disposition made of the said Debts that neither the Bankrupt nor any other to whom any such Debt shall be due shall have Power to recover the same, nor to make any Release or Discharge thereof; neither shall the same be attached as the Debt of the Bankrupt, or such said other Person or Persons to whom the same shall be due by any other Person or Persons, according to the Custom of the City of London or otherwise, but that the Party or Parties to whom the same Debt shall be so assigned shall have like Remedy to recover the same, as fully and lawfully, in the Name or Names of the Person or Persons to whom the same shall be so granted, assigned or ordered by the said Commissioners, in all Respects and Purposes as the Party himself might have had; any Law, Statute, Use or Custom to the contrary thereof in any wise notwithstanding.

[*Bankrupts Goods divided rateably, notwithstanding any Judgment, &c. 21 Jac. I. c. 19. § 9.*]

Of Bankrupt
Debts assigned
to Creditor by
Commissioners.

Remedy.

Proviso.

XIV. Provided always, That no Debtor of the Bankrupt be hereby endangered for the Payment of his or her Debt truly and bona fide to any such Bankrupt, before such Time as he shall understand or know that he is become a Bankrupt.

Commissioners
to declare to
Bankrupt how
they have be-
stowed his Lands
and Goods.

XV. Provided also, and be it further enacted, That such of the said Commissioners as shall put the said Commission in Execution, shall, upon lawful Request to them made by the said Bankrupt, not only make a true Declaration to the said Bankrupts, of the employing and bestowing of his, her or their said Lands, Tenements and Hereditaments, Offices, Fees, Goods, Wares, Money, Chattels and Debts which shall be paid and satisfied to their said Creditors as is in like Case limited or appointed by the said former Statute made in the said Thirteenth Year of the said late Queen's Majesty's Reign, but also make Payment of the Overplus of the same, if any such shall be, to the said Bankrupts, their Executors, Administrators and Assigns; and that the said Bankrupts, after the full Satisfaction of the said Creditors, shall have full Power and Authority to recover and receive the Residue and Remainder of the Debts to them owing; any Thing in this Act contained to the contrary in any wise notwithstanding.

23 Eliz. c. 7.

Commissioners
Plea on Action
against them.

XVI. Be it further enacted, That if any Action of Trespass or other Suit shall happen hereafter to be brought against any Commissioner authorized by the Statute made in *Decimo tertio* of our late Sovereign Lady Queen Elizabeth, for Bankrupts, or any other Person or Persons having Authority by virtue or under the Commission authorizing the said Commissioners for the doing or executing of any Matter by force of the said Statute, or this present Statute, that the Defendant or Defendants in any such Action or Suit may plead Not guilty, or otherwise justify, that the Act or Thing whereof the Plaintiff or Plaintiffs complained, was done by the Authority of the said Act made in the Thirteenth of Elizabeth, or in this present Act respectively, without expressing or Rehearsal of any other Matter of Circumstance contained in either of the said Acts, and without enforcing him

him or them to shew forth their Commission authorizing the said Act or Thing; whereunto the Plaintiff shall be admitted to reply, that the Defendant did the said Fact supposed in the Declaration, of his own Wrong, without any such Cause alledged by the said Defendant; whereupon the Issue in such Action shall be joined to be tried by Verdict of Twelve Men; and upon the Trial of that Issue, the whole Matter to be given on both Parties in Evidence, according to the very Truth of the same; and if Verdict upon such Issue shall pass for the Defendant, the Defendant to have his Costs.

Costs.

XVII. Provided always, and be it further enacted, That after any Commission of Bankrupts hereafter sued forth, and dealt in by the Commissioners, the Offender happen to die before the Commissioners shall distribute the Goods, Lands and Debts of the Offenders or any of them, by force of the aforesaid Statute of the Thirteenth Year of the Reign of our late Sovereign Lady Queen *Elizabeth*, and this Statute, or either of them, that then nevertheless the said Commissioners shall and may in that Case proceed in Execution, in and upon the said Commission for and concerning the Offender's Goods, Lands, Tenements, Hereditaments and Debts, in such Sort as they might have done if the Party Offender were living.

Execution though the Bankrupt die.

[See further, 5 G. 2. c. 30.]

C A P. XVI.

An Act concerning Wherryman and Watermen.

FORASMUCH as it hath often happened, that divers and sundry People passing by Water upon the River of *Thames* between *Windfor* and *Gravesend*, have been put in great Hazard and Danger of the Loss of their Lives and Goods, and many Times have perished and been drowned in the said River, through the Unskilfulness and want of Knowledge or Experience in the Wherryman or Watermen, that did transport or carry them and their said Goods from Place to Place upon the said River, in Wherries, Tiltboats and Barges: And for that hitherto there hath not been any sufficient Provision had and made for Remedy herein; Be it now enacted and established by the King's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That from henceforth no Wherryman or Waterman that now is, or that hereafter shall be, and shall row upon the said River of *Thames*, and shall transport or carry any Passengers or Goods in any Wherries, Tiltboats or Barges, (other than Western Barges, Milboats, and all other Vessels ordinarily serving for other Uses than the carrying of Passengers), shall retain or take any Servant or Apprentice to serve him as a Waterman upon the said River, unless the said Wherryman or Waterman that so shall retain, take or have any such Servant, shall have been an Apprentice to a Wherryman or Waterman by the Space of Five Years before such retaining: And further, that no Wherryman or Waterman that now is, or that hereafter shall be, upon the said River of *Thames*, shall retain, have, keep or take any Person or Persons to serve him to row upon the said River, as his Apprentice, unless the said Person so to be retained or to become an Apprentice, shall then be of the Age of Eighteen Years

What Apprentice or Servant a Wherryman may take.
His Age.

What Watermen only may retain Servants or Apprentices.

at the least, and shall be retained and bound to his Master to serve upon the said River, for and during the Term of Seven Years at the least; upon Pain that every Person or Persons doing the contrary shall from Time to Time, for every such Offence, forfeit the Sum of Ten Pounds of lawful *English* Money; the One Half whereof shall be unto our said Sovereign Lord the King, his Heirs and Successors, and the other Half unto any Person or Persons that will sue for the same, in any of the Courts of Record of our said Sovereign Lord the King, his Heirs or Successors, by Action of Debt, Suit, Bill, Plaint or Information, in which no Wager of Law, Effoin, Protection or other Delay shall be admitted or allowed. [See how far repealed, 4 & 5 Ann. c. 13, § 1.]

Penalty.

Profits for
Wherry-men's
Sons.

II. Provided always, That this Act, nor any Thing therein contained, shall extend to the Son or Sons which now are, or hereafter shall be, of any Wherryman or Waterman abovesaid, (being of the Age of Sixteen Years at the least, and of convenient Growth and Strength), that formerly hath been, or that hereafter shall be trained and brought up in rowing, or have or hath accustomed to row upon the said River, and there have used or shall use to transport or carry Passengers from Place to Place; but that all and every such Son or Sons shall and may from Time to Time from henceforth be admitted and allowed to serve, and may serve upon the said River, and there transport or carry Passengers from Place to Place as an Apprentice, as heretofore they have done; any Thing in this Act contained to the contrary in any wise notwithstanding.

The Watermen's
Orders shall be
read twice in the
Year.

III. And be it further enacted and established by the Authority aforesaid, That the Eight Overseers or Rulers of the Society or Company of Wherry-men or Watermen that now are, and that from Time to Time hereafter shall be, from henceforth Twice in every Year, that is to say, upon the First Day of *September*, and upon the First Day of *March*, shall openly read and publish, or cause openly to be read and published, in the Hall or Place of their common Assembly, where they usually either have or hereafter shall appoint to assemble and meet together, all and every the Constitutions and Orders already made by them, or that at any Time hereafter shall be made by the Overseers and Rulers, for the good or better ordering or Government of the said Wherry-men or Watermen; upon Pain that every of them shall from Time to Time for every such Offence forfeit to our said Sovereign Lord the King, his Heirs and Successors, the Sum of Six Pound Thirteen Shillings and Four Pence of lawful *English* Money; the One Half whereof shall be to our Sovereign Lord the King, his Heirs and Successors, and the other Half thereof unto any Person or Persons that will sue for the same, in any of the King's Majesty's Courts of Record, by Action of Debt, Suit, Bill, Plaint or Information, wherein no Wager of Law, Effoin or other Delay shall be admitted or allowed.

Penalty.

C A P. XVII.

An Act for the better Execution of former Laws touching the making of Hats and Felts, and for the more Restraint of unskilful and deceivable Workmanship therein used, to the Wrong of all Sorts of the People of this Realm.

[Repealed, 17 G. 3. c. 55.]

C A P:

C A P. XVIII.

An Act for avoiding of deceitful selling, buying or spending corrupt and unwholesome Hops.

FORASMUCH as of late, great Frauds and Deceits are generally practised and used by Foreigners, Merchants, Strangers and others in foreign Parts beyond the Seas, in the false packing of all foreign Hops brought into this Realm of *England* from foreign Parts, by way of Merchandize here to be uttered and sold, with Leaves, Stalks, Powder, Sand, Straw, and with Loggets of Wood, Dross and other Soil in very many Sacks of Hops for Increase of the Weight thereof, selling the same together for so much Money as the Hops are sold for, to the enriching of themselves by Deceit: By means of which false packing of foreign Hops, the Subjects of this Realm have been of late Years abused and deceived unto the Value of Twenty thousand Pounds yearly at the least, besides the Danger of the Subjects Healths, for that in many Sacks of foreign Hops there is not found scarce One Third Part to be good and clean Hops, the rest being Dross and Soil:

II. For Reformation whereof, Be it therefore enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Foreigner, Stranger, native *Englishman*, Denizen, Merchant or any other Person or Persons whosoever, do at any Time or Times from or after the Feast of *St. Michael* the Archangel next coming after the End of this present Session of Parliament, bring or cause to be brought, into this Realm of *England*, out from any other foreign Realm or Dominions from beyond the Seas, any Hops being deceitfully or corruptly unclean, corrupt or mixt with any Powder, Dust, Dross, Sand or any other Soil whatsoever, that every Person so offending therein contrary to this Act, shall forfeit the same Hops Importing
deceitful Hops.
Penalty.

III. And for the better avoiding of the Danger of Sicknes by using of the false packed, unclean and corrupt Hops; Be it therefore further enacted by the Authority aforesaid, That if any Brewer of Beer or Ale, or any other Person which shall buy the same Hops so brought from beyond the Seas or growing within this Realm, and shall employ and spend the same about the making or brewing of Beer or Ale to be sold, being unclean, corrupt or mixt with any Powder, Dust, Dross, Sand or any other Soil whatsoever, every Person so offending therein contrary to the Intent of this Act, shall in like Sort forfeit for the same Offence the Value of those Hops so bought, employed or spent in brewing; the one Moiety of all which Forfeitures shall be to our Sovereign Lord the King, his Heirs and Successors, the other Moiety thereof to him or them that will seize the same, or sue for the same by Bill, Plaint, Information or Action of Debt, in any of the King's Courts of Record; in which no Effoin, Protection or Wager of Law shall be allowed, &c. Brewing, &c.
to be sold with
corrupt Hops.
Penalty.

IV. This Act to continue to the End of the first Session of the next Parliament. Continuance.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.]

C A P. XIX.

An Act for the well garbling of Spices.

[Repealed, 6 Ann. c. 16. § 1.]

C A P. XX.

An Act for Redress of certain Abuses and Deceits used in Painting.

Letters Patent
19th July,
23 Eliz.

‘ WHEREAS the Art or Mystery of Painters is an ancient Art and Mystery, and hath, Time out of Mind, been an ancient Company and Fellowship within the City of London; and of late upon due Considerations, the Freemen of the said City of that Faculty, Art or Mystery, (by Letters Patents under the Great Seal of England, dated at Westminster the Nineteenth Day of July, in the Three and twentieth Year of the Reign of Queen Elizabeth), were incorporate by the Name of Master, Wardens and Commonalty of the Freemen of the Art and Mystery of Painters, commonly called Painters-Stainers, within the City of London and the Suburbs and Liberties of the same City: And furthermore, by the said Letters Patents it is prohibited, enjoined and commanded, that no Person or Persons of whatsoever Estate, Degree or Condition they were, should use, exercise or occupy the said Art or Mystery of Painters, commonly called Painters-Stainers, or any Work or Works, Colour or Colours, Painting or Paintings in the said Art or Mystery occupied, unless such Person or Persons before that Time had been brought up and instructed, or should from that Time forwards be brought up and instructed, by or with some one Person of the said Art or Mystery as an Apprentice by the Space of Seven Years at the least:

‘ II. And whereas for the avoiding of Deceit to be used in the said Art or Mystery of Painting, the said late Queen by the aforesaid Letters Patents, did grant unto the said Master and Wardens, and to their Successors, that they should have full Power and Authority for ever, to make or cause to be made due Search of all and singular the Works, Colours, Paintings and other Things whatsoever to the said Art or Mystery of Painting in any wise appertaining, or touching or concerning the same, as well upon the Freemen of the said Mystery as upon any Person or Persons whatsoever, selling, making or working the same within the City of London or the Liberties or Suburbs of the same: And the said Works, Colours and Paintings whatsoever so deceitfully made, to seize and take away, and the Offenders therein to punish and correct, as by the same Letters Patents more at large it doth and may appear:

‘ III. And whereas the Plaisterers within the City of London, of old Time using nothing but lathing, dawbing, plaistering and liming, did and yet do procure thereby for themselves and their Families a convenient Living and Maintenance: Yet not satisfied with that reasonable Living that they do make of their said proper Faculties and Trades, wherewith and wherein they have been brought up as Apprentices, have now of late used and practised the Art and Mystery of Painters-Stainers, as well with Oil-Colours as Size-Colours, and that since the making of

‘ of the said Letters Patents more usually than in former Times
 ‘ they have used or did ; whereby not only many of the said Art
 ‘ and Mystery of Painters, who have well and honestly as Ap-
 ‘ prentices to the same served for the Space of Seven Years and
 ‘ upwards, and by their Labours and Industries have attained to
 ‘ the full and perfect Skill and Knowledge thereof, are not only
 ‘ disabled to get any competent Living thereby, for the Relief
 ‘ of themselves, their poor Wives and Children, but also for that
 ‘ the said Plasterers, not having been trained up in the said Art or
 ‘ Mystery of Painting, neither can or do make any such good Work
 ‘ or such sure and perfect Colours, as others having been trained up
 ‘ in the same Trade and Apprentices thereunto, and yet utter the
 ‘ same for good and perfect Colours, and being no Freemen of
 ‘ the said Company of Painters-Stainers, escape therefore un-
 ‘ punished, to the great Abuse and Deceit of his Majesty’s most
 ‘ loving Subjects, and whereby the said Art or Mystery of
 ‘ Painting is likely in such Sort in short Time to decay, as that
 ‘ there will not be sufficient Workmen of Skill in and about
 ‘ the said City to serve in the said Art his Majesty, or any other
 ‘ his Majesty’s Subjects :’

IV. For Remedy whereof, Be it enacted by the Authority of this present Parliament, That from and after the Twenty ninth Day of *September* which shall be in the Year of our Lord God One thousand six hundred and six, next coming after the End of this present Session of Parliament, no manner of Person or Persons, being or pretending to be a Plasterer, or hereafter to become or to be a Plasterer, or being or which shall be a Servant, or set on Work by any Plasterer, shall use, exercise or set up the Art, Mystery or manual Occupation of a Painter, commonly called a Painter-Stainer, or any Part thereof, in the City of *London*, or the Liberties or Suburbs of the same ; or shall, within the Places aforesaid, make any Manner of Work or Works, or lay any Manner of Colour or Colours, Painting or Paintings whatsoever, in the said Art or Mystery of Painters-Stainers aforesaid at any Time heretofore occupied or used, unless he or they be or shall be the Servant or Servants, Apprentice or Apprentices of a Painter, otherwise called a Painter-Stainer, or have served or shall serve as an Apprentice or as Apprentices by the Space of Seven Years at the least to a Painter, otherwise called a Painter-Stainer ; upon Pain that every such Person or Persons as shall hereafter do or offend contrary to the true Intent and Meaning of this present Act, shall forfeit for every Time that he or they shall so do or offend, the Sum of Five Pounds of lawful Money of *England* ; the one Moiety of all which Forfeitures shall be to the King’s Majesty, his Heirs and Successors, and the other Moiety to him or them that will sue for the same, in any of the King’s Majesty’s Courts of Record, by Action of Debt, Bill, Plaint or Information ; in which said Suit, no Essoin, Protection or Wager of Law shall be admitted or allowed for the said Defendant ; any Law, Usage or Custom heretofore had or used to the contrary thereof in any wise notwithstanding.

Plasterer using
the Art of a
Painter-Stainer
in London, &c.

Penalty.

V. Provided nevertheless, That it shall and may be lawful to and for any of the Company of Plasterers, or their Servants or Apprentices, to lay and use Whiting, Blacking, Red-lead, Red-oker, Yellow-oker and Russet, mingled with Size only, and not

What Things
a Plasterer may
use in his Work.

with Oil; this present Act, or any Thing therein contained to the contrary notwithstanding.

Day Wages of
a Painter.

VI. Provided also, That no Painter or Painter's Servant or Apprentice shall have or take above Sixteen Pence by the Day for laying of any flat Colour whatsoever, mingled or mixed with Oil or Size, upon any Timber, Stone, Iron or Lead.

C A P. XXI.

An Act against Brokers.

FORASMUCH as of long and ancient Time by divers hundred Years there have been used within the City of *London* and Liberties thereof, certain Freemen of the City, to be selected out of the Companies and Mysteries whereof they are free and Members, and the same Persons to be presented at least by Six approved and known honest Persons of the same Mystery, to the Lord Mayor of *London* for the Time being, and to the Aldermen his Brethren, and to be recommended by such Presentors to be Persons for their known approved Honesty, Integrity and Faithfulness, Persons meet for to be Broker or Brokers, and upon such Relation made to the Mayor and Aldermen, and partly by their own Knowledge and diligent Enquiries made of the said Persons, and of their honest Fame, Report, Fidelity and Skill, have been thereupon admitted, allowed and approved by the Lord Mayor of the City and Aldermen in the Court of Aldermen, to be Brokers within the said City and Liberties of the same, and have taken their corporal Oaths before the said Mayor and Aldermen, from Time to Time as they were so presented and admitted, to use and demean themselves uprightly and faithfully between Merchant *English* and Merchant Strangers and Tradesmen, in the contriving, making and concluding Bargains and Contracts to be made between them concerning their Wares and Merchandizes to be bought and sold and contracted for within the City of *London*, and Monies to be taken up by Exchange between such Merchant and Merchants, and Tradesmen; and these kind of Persons so presented, allowed and sworn to be Brokers as aforesaid, have had and born the Name of Brokers, and been known, called and taken for Brokers, and dealing in Brokerage or Brokery; who never of any ancient Time used to buy and sell Garments, Household-Stuff, or to take Pawns and Bills of Sale of Garments and Apparel, and all Things that come to hand, for Money laid out and lent upon Usury, or to keep open Shops, and to make open Shews, and an open Trade, as now of late Years hath and is used by a Number of Citizens, assuming unto themselves the Name of Brokers and Brokerage, as though the same were an honest and lawful Trade, Mystery or Occupation, terming and naming themselves Brokers, whereas in Truth they are not, abusing the true and honest ancient Name and Trade of Broker or Brokerage.

II. And forasmuch as many Citizens, Freemen of the City, being Men of manual Occupations and Handicraftsmen, and others inhabiting and remaining near the City and Suburbs of the same, have left and given over, and daily do leave and give over, their handy and manual Occupations, and have and daily

do set up a Trade of buying and selling and taking to pawn of all Kind of worn Apparel, whether it be old, or little the worse for wearing, Household-Stuff and Goods, of what Kind soever the same be of, finding thereby that the same is a more idle and easier Kind of Trade of Living, and that there ariseth and groweth to them a more ready, more great, more profitable and speedier Advantage and Gain, than by their former manual Labours and Trades did or could bring them:

III. And forasmuch as the said Kind of counterfeit Brokers, and Pawn-takers upon Usury or otherwise for ready Money, are grown of late to many Hundreds within the City of *London*, and other Places next adjoining to the City and Liberties of the same, and are like to increase to far greater Multitudes, being Friperers, and no Brokers, nor exercising of any honest and lawful Trade, and within the Memory of many yet living, such Kind of Persons Tradesmen were very few, and of small Number:

IV. And forasmuch as there are not any Garments, Apparel, Household-Stuff or other Goods of any Kind whatsoever the same be of, either being stolen or robbed from any, or badly or unlawfully purloined or come by, but these Kind of upstart Brokers, under Colour and Pretence they be Freemen of the said City of *London*, or inhabiting in *Westminster*, where they pretend to have the like Overt Market as the City of *London*, and thereby presuming to be lawful for them to use and set up the same idle and needless Trades, being the very Means to uphold, maintain and embolden all Kind of bad and lewd Persons, to rob and steal, and unlawfully to get and come by true Mens Goods, knowing and finding that no sooner the same Goods can be stolen, or unlawfully come by, but that they shall and may presently utter, vent, sell and pawn the same to such Kind of new upstart Brokers, for ready Money: For Remedy whereof, and for the avoiding of the said Mischiefs and Inconveniencies, and for repressing and abolishing of the same idle and needless Trades and upstart Brokers, and for the avoiding of Thefts, Robberies and Felonies, and bad People, and for the repressing of such Kind of Nourishers and Aiders of Thieves and bad People, and for the Defence of honest and true Mens Properties and Interests in their Goods:

V. Be it enacted and declared by our Sovereign Lord the King, with the Assent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Sale, Exchange, Pawn or Mortgage of any Jewel, Plate, Apparel, Household-Stuff or other Goods, of what Kind, Nature or Quality soever the same shall be of, and that shall be wrongfully or unjustly purloined, taken, robbed or stolen from any Person or Persons, or Bodies Politick, and which at any Time hereafter shall be sold, uttered, delivered, exchanged, pawned or done away, within the City of *London* or Liberties thereof, or within the City of *Westminster* in the County of *Middlesex*, or within *Southwark* in the County of *Surrey*, or within Two Miles of the said City of *London*, to any Broker or Brokers, or Pawn-takers, by any Way or Means whatsoever, directly or indirectly, shall work or make any Change or Alteration of the Property or Interest of and from any Person or Persons, or Body

In what Case
Sale of Goods
not to alter
Property.

Politick, from whom the same Jewels, Plate, Apparel, Household-Stuff or Goods were or shall be wrongfully purloined, taken, robbed or stolen; any Law, Usage or Custom to the contrary notwithstanding.

VI. And for the better maintaining of true and honest Dealing, and for the eschewing and avoiding of Falsehood, Fraud and Deceit, in such Kind of Brokers and Pawn-takers :

Broker upon
Request to
declare what
Goods come to
his Hands.

VII. Be it furthermore enacted and established by the like Authority, That if any Person or Persons, or Bodies Politick, from whom any Jewels, Plate, Apparel, Household-Stuff, or any kind of Goods whatsoever, shall be wrongfully purloined, taken, stolen or robbed, shall require and demand of any such Broker or Pawn-taker to declare whether any such Goods be come to his or their Possessions, and to declare, show and manifest the same, and how and by what Means he had them, or came by the same, and how, when and to whom he hath delivered, conveyed or bestowed and employed the same; and that such Broker, upon any such Request and Demand to be made, shall deny and refuse to disclose, tell or manifest the same truly and justly, shall forfeit unto the true Owner or Owners of such Jewels, Plate, Apparel, Household-Stuff and other Goods, from whom the same were wrongfully purloined, taken, stolen or robbed, double the Value thereof that shall be denied and refused to be disclosed, told and manifested, as aforesaid; the same double Value to be recovered by the true Owner or Owners of such Goods from whom the same were wrongfully purloined, taken, robbed or stolen, to be recovered by Action of Debt, Bill or Plaint, in any of the King's Majesty's Courts of Record at *Westminster*, or within the City of *London*, in which no Essoin, Wager of Law or Protection shall be allowed.

Penalty.

Proviso for
ancient Trade of
Brokers.

VIII. Provided always, That this Act, nor any Thing therein contained, shall not be prejudicial or hurtful to the ancient Trade of Brokers within the City of *London*, using and exercising the ancient Trade of Brokers between Merchant and Merchant or other Traders or Occupiers within the said City and the Liberties of the same being selected as aforesaid.

C A P. XXII.

An Act concerning Tanners, Curriers, Shoemakers and other Artificers occupying the cutting of Leather.

[*Repealed*, 48 G. 3. c. 60. § 1.; but § 23. and 24. previously repealed, 12 G. 2. c. 25. § 7.]

C A P. XXIII.

An Act for the better Preservation of Fishing in the Counties of *Somerset*, *Devon* and *Cornwall*, and for the Relief of Balkers, Condors and Fishermen, against malicious Suits.

WHEREAS the Trade of Fishing for Herrings, Pilchards and Sean-fish, within the Counties of *Somerset*, *Devon* and *Cornwall*, is and of late Time hath been very great and profitable, as well to divers of the Fishermen and Inhabitants which dwell near the Sea-Coasts within the said Counties, as in the Cities of

London

‘ *London and Euxter*, and elsewhere within the Realm of *England* and the Dominions thereof: And whereas also for the necessary Use of the taking of the said Herrings, Pilchards and other Sean-fish, divers Persons within the said Counties called Balkers, Huors, Condors, Directors or Guidors at the Fishing-times for the said Herrings, Pilchards and other Sean-fish within the said Counties, Time out of Mind have used to watch and attend upon the high Hills and Grounds near adjoining to the Sea-Coasts within the said Counties, for the Discovery and giving Notice to the Fishermen and Inhabitants near adjoining, when the said Herrings, Pilchards and Sean-fish come towards or near the Sea-Coasts there, and for the guiding and directing of the Fishermen in their Boats upon the Sea-Coasts for the taking of the said Herrings, Pilchards and other Sean-fish.

‘ II. And whereas also now of late divers Persons having Lands, Tenements and Hereditaments, near or adjoining to the Sea-Coasts within the said Counties where the Fishing Places for the taking of the said Herrings, Pilchards and other Sean-fish are, have brought their Actions of Trespass at the Common Law, as well in the High Courts of Record at *Westminster*, as in the inferior Courts within the said Counties, not only against such Balkers, Huors, Condors, Directors and Guidors, but also against such Fishermen and other Persons, for breaking of their Close, as have attended their Seans or Nets for the drawing and carrying of the said Fish on Land or Shore, and have recovered against them Costs and Damages, to their great Loss and Expences; by reason whereof, such Watchmen, Balkers, Huors, Condors, Directors and Guidors, and such other Persons as heretofore have attended the said Seans and Fishing, have forbore to enter into or go upon the Lands, Tenements and Hereditaments, near adjoining to such Fishing Places within the said Counties, for the Watching or Discovery of the said Herrings, Pilchards and other Sean-fish, or to balk, hue, cond or direct, or to attend the Seans or Nets as heretofore they have done, and will likewise forbear the same hereafter, if Provision be not had and made that they may lawfully enter into and upon such Lands, Tenements and Hereditaments, as do lie near or adjoining to the said Sea-Coasts and Places of Fishing as aforesaid, for the watching, balking, directing and attending of the Seans, as is aforesaid:

‘ III. For Remedy whereof, and for the Maintenance of the said Trade of Fishing, which doth so greatly tend to the Profit of many of the Inhabitants within the said Counties, and others, Be it therefore enacted by our Sovereign Lord the King, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That it shall and may be lawful at all Time and Times hereafter, to and for all and every such Watchmen, Balkers, Huors, Condors, Directors and Guidors, and all such Fishermen and other Persons as shall necessarily attend the said Seans or Nets, as aforesaid, at the Times of Fishing for Herrings, Pilchards and other Sean-fish within the said Counties where such Fish shall hereafter be taken, to enter and go into and upon any Lands, Tenements and Hereditaments, which do lie or adjoin near unto any such Fishing Places, and sit, convenient and necessary to watch and balk in, or to draw and carry the said Fish on Shore,

Balkers, &c.
may enter into
Grounds of
others to take or
discover Fish.

and there to watch for the said Fish, and to balk, hue, cond, direct and guide the Fishermen which shall be upon the said Sea and Sea-Coasts for the taking of the said Fish, and to draw and carry the said Fish on Land or Shore; any Law, Usage or Custom to the contrary in any wise notwithstanding.

Plea for Condor
&c. in Action of
Trespas.

IV. And be it further enacted by the Authority aforesaid, That if any Action of Trespas or other Suit shall at any Time hereafter happen to be attempted and brought against any Person or Persons for entering and going on the Land for watching of the said Fish, or for balking, huing, conding, directing or guiding of the said Fishermen in their Boats upon Sea or Sea-Coasts for taking of the said Fish, or for the Landing of the said Fish, as aforesaid, by Authority of this present Act, the Defendant or Defendants in any such Action or Suit shall and may plead Not Guilty for any Thing doing by virtue of this Act: And upon the Trial of that Issue, the whole Matter to be given on both Parties in Evidence, according to the very Truth of the same: And after such Issue tried for the Defendant or Defendants, or Nonsuit of the Plaintiff or Plaintiffs after Appearance, the same Defendant or Defendants to recover his or their Damages, by reason of his or their wrongful Vexation in that Behalf, with Costs also in that Behalf sustained; and that to be assessed by the same Jury that shall try the said Issue; or else by Writ to enquire of the Damages, as the Case shall require; for which Costs and Damages such Defendant shall and may by virtue of this Act take and sue forth such Execution as the Defendant in a *Replevin* may do.

Costs.
Damages.

C A P. XXIV.

An Act against the deceitful and false making of *Mildernix* and *Powle Davies*, whereof Sail-Cloths for the Navy and other Shipping are made.

‘ **W**HEREAS the Clothes called Mildernix and Powle Davies, whereof Sail-Clothes and other Furniture for the Navy and Shipping are made, were heretofore altogether brought out of *France* and other Parts beyond the Seas, and the Skill and Art of making and weaving of the said Clothes never known or used in *England*, until about the Two and thirtieth Year of the Reign of the late Queen of famous Memory Queen *Elizabeth*, about which Time, and not before, the perfect Art and Skill of making and weaving of the said Clothes was attained unto, and thence practised and continued in this Realm, to the great Benefit and Commodity thereof:

‘ II. And whereas of late many of the King’s Majesty’s Subjects, not trained nor brought up in the said Art, nor any ways skilful therein, have, notwithstanding, upon desire of Gain, made and weaved, or caused to be made and weaved, many Clothes in likeness and shew of Mildernix and Powle Davies, but in truth neither made of such Stuff as the said Mildernix and Powle Davies are and ought to be made of, nor so well driven or weaved, nor yet of that Length nor Breadth, as the true Clothes called Mildernix and Powle Davies are and ought to be; insomuch that the said Clothes do yearly and daily grow worse and worse, and are made more thinner, slighter and meaner, than heretofore they have been, to the great Deceit
‘ and

‘ and Hurt of all his Highness’ loving Subjects that are to use and
 ‘ employ the same about the Sails and other Furniture of their
 ‘ Ships and sailing Vessels, and to the great Damage of his High-
 ‘ nesses’ Navy, the chiefest Strength of this Realm, (next unto God
 ‘ and his Highness), and within short Time like utterly to over-
 ‘ throw the Art and Trade of making Cloth of that Kind within
 ‘ this Realm; whereupon his Highness said Subjects, as well the
 ‘ Makers as Users of the said Clothes are much hurt and im-
 ‘ poverished through the Deceitfulness, Unskilfulness and Igno-
 ‘ rance of the Weavers and Makers of the said Clothes.’

III. For Remedy and Redress whereof, be it enacted by the
 King’s most excellent Majesty, with the Assent of the Lords
 Spiritual and Temporal, and the Commons, in this present Par-
 liament assembled, and by the Authority of the same, That no
 Person or Persons resiant, inhabitant or dwelling within this
 Realm, shall at any Time after the First Day of *August* next
 coming make, weave or cause to be made and weaved, any such
 Cloth or Clothes for Sails, or Furniture of Ships, or other
 sailing Vessels, called, termed or known by the Name or Names
 of *Mildernix* and *Powle Davies*, or any of them, but such as now
 do use the same, or any of their Servants, or such as shall here-
 after be Apprentices, and trained and brought up in the Trade
 and Art of making of the said Clothes by the Space of Seven
 Years together at the least; nor shall set any Man to work in the
 making or weaving of any such Clothes, being not a Workman
 trained up before the First Day of *August* next coming, in the said
 Art and Mystery; upon Pain that every such Person offending or
 doing the contrary, shall forfeit and lose for every Default Twenty
 Shillings for every Month.

Unduly weaving
Sail Cloth.

Penalty.

IV. And further, That no Person or Persons from and after the
 said First Day of *August* shall make or weave the said Clothes of
 any other Stuff than of good and sufficient Hemp, nor of any
 less Length than Three and thirty Yards, nor of any less Breadth
 than Three Quarters of a Yard: Nor that the Weaver, or other
 Person or Persons, shall sell or offer to sell any of the said Clothes
 before the Stuff be well beaten, scoured, bleached, and the Cloth
 well driven with a brazen or iron Shuttle; upon Pain that every
 Person offending or doing the contrary herein, shall forfeit and
 lose for every such Piece of Cloth woven, made or sold contrary
 to the Form of this Act, Five Shillings.

Of what Stuff,
&c. Mildernix,
&c. made.

Penalty.

V. And be it further enacted by the Authority aforesaid,
 That the one Moiety of the Benefit of all the Forfeitures and
 Penalties in this Act contained shall come and be unto the King’s
 most excellent Majesty, his Heirs and Successors, and the other
 Moiety thereof unto such as will sue for the same in any of the
 King’s Majesty’s Courts, by Bill, Plaint, Action of Debt, Informa-
 tion or otherwise; in which Actions, Suits, Plaints or Informa-
 tions, no Wager of Law, Essoin or Protection shall be allowed.

Who shall have
the Forfeitures.

C A P. XXV.

An Act for continuing and reviving of divers Statutes, and
 for repealing of some others.

“ 21 H. 8. c. 12. 24 H. 8. c. 9. 3 & 4 E. 6. ec. 19. 21.
 “ 1 Eliz. c. 17. 5 Eliz. c. 7. And so much of 5 Eliz. c. 5. as
 “ as is not repealed by any later Statute, nor doth concern the

“ Transportation of Herring or other Sea-fish, nor Freedom of
 “ Custom, Subsidy or Tonnage for the same, nor Transportation
 “ of Corn; together with all and every other Additions, Ex-
 “ planations and Alterations made thereunto or thereof, or of
 “ any Part thereof, by any Statute or Statutes made thence
 “ the making of the said last mentioned Act, and now standing
 “ in force. § 6. 8 Eliz. c. 10. 13 Eliz. cc. 21. 10. 20. 14 Eliz.
 “ c. 11. 18 Eliz. c. 11. 43 Eliz. c. 9. 18 Eliz. cc. 20. 3.
 “ 27 Eliz. c. 17. Pr. 27 Eliz. c. 14. 39 Eliz. c. 16. 27 Eliz.
 “ c. 24. 31 Eliz. c. 8. 31 Eliz. c. 5. Pr. 35 Eliz. cc. 1. 10, 11.
 “ 39 Eliz. cc. 1. 2. 10. 12. 14. 17. 43 Eliz. c. 9. 39 Eliz. c. 4.
 “ with this Provision to be annexed thereunto by Authority of
 “ this present Parliament, That the said last mentioned Act, nor
 “ any Thing therein contained, shall impeach, avoid, prejudice or
 “ restrain such Liberty and Inheritance as *John Dutton* of *Dutton*,
 “ in the County of *Chester*, Esquire, and his Ancestors, whose
 “ Heir he is, have lawfully used and exercised, in allowing
 “ Minstrels in the County Palatine and County of the City of
 “ *Chester*, and for Government of Minstrels there, and keeping a
 “ Court yearly for that Purpose. § 20. 43 Eliz. cc. 3. 6.
 “ 43 Eliz. c. 2. with this Addition, viz. Be it enacted, That
 “ all Persons to whom the Overseers of the Poor shall, according
 “ to this Act, bind any Children Apprentices, may take and
 “ receive, and keep them as Apprentices; any former Statute
 “ to the contrary notwithstanding. § 23. 43 Eliz. cc. 10. 5.
 “ continued until the End of the first Session of the next Parlia-
 “ ment. § 1—24.

XXV. Provided nevertheless, That so much of every of the said
 Acts as by any new Act made in this Session of Parliament, shall
 be altered or repealed, shall stand discontinued.

“ At what Prices Grain may be transported. § 26, 27.

[*Repealed*, 31 G. 3. c. 30. § 1.]

XXVIII. Provided also, and be it enacted, That no Person or
 Persons shall incur any Penalty for want of Length, Breadth or
 Weight of *Welfb* Cottons, under the Price of Fifteen Pence the
 Yard, or Two Shillings the Goad, so as they be not mixt with
 Hair or other deceitful Stuff; nor for any others above that Price,
 except they be mixt as aforesaid, or shall shrink above the Rate
 of Half a Yard in Twelve Yards of Length, or weigh less than
 Fourteen Ounces the Yard, or hold not full Three Quarters of a
 Yard broad. [See as to sealing and trying *Welfb* Cottons,

3 Jac. I. c. 17.]

“ 5 Eliz. c. 9. revived and continued until the End of the First
 “ Session of the next Parliament. § 29. 14 Eliz. c. 7. 27 Eliz.
 “ c. 3. revived; any Repeal heretofore made thereof, or of any
 “ of them, to the contrary notwithstanding. § 30, 31.

XXXII. And that so much of one Act made in the Four-
 teenth Year of the Reign of the said late Queen *Elizabeth*, inti-
 tuled, *An Act for the Punishment of Vagabonds, and for the Relief*
of the Poor and Impotent, as concerneth the taxing, rating, levying,
 receiving and employing of Gaol Money, shall be revived from
 henceforth, and stand and continue until the End of the first Session
 of the next Parliament.

“ 27 Eliz. c. 19. Pr. continued for Ten Years, &c. § 33.

XXXIV. And

XXXIV. And be it also enacted by the Authority of this present Parliament, That so much of all Statutes as concerneth abjured Persons and Sanctuaries, or ordering or governing of Persons abjured, or in Sanctuaries, made before the Five and thirtieth Year of the late Queen *Elizabeth's* Reign, shall also stand repealed and be void.

" 22 E. 4. c. 5. 3 H. 8. c. 15. 21 H. 8. c. 9. 7 E. 6. c. 8.
 " 1 M. Sess. 2. c. 11. 4 H. 5. c. 3. 4 E. 4. c. 9. 15 R. 2. c. 11.
 " 5 & 6 E. 6. c. 21. And so much of 7 E. 6. c. 5. as doth
 " concern the selling of Wine at certain Prices, or forbidding or
 " restraining the having of Wines in Mens Houses. 4 E. 4. c. 8.
 " [in part revived, 7 Jac. 1. c. 14. § 3.] 24 H. 8. c. 13.
 " 1 & 2 P. & M. c. 2. 4 & 5 P. & M. c. 2. 5 Eliz. c. 8. re-
 " pealed. § 35—47. 1 M. Sess. 2. c. 2. repealed. § 48.
 " 2 & 3 E. 6. c. 21. 5 & 6 E. 6. c. 12. made perpetual. And
 " the Children of Ecclesiastical Persons in the said Act men-
 " tioned (a), shall be and continue legitimate and inheritable to
 " all Intents and Purposes, in such Sort as Children of Lay Per-
 " sons do enjoy and may inherit; any Canon or Constitution to the
 " contrary notwithstanding. § 49, 50. (a) [5 & 6 E. 6. c. 12.]

C A P. XXVI.

An Act for the Continuance and due Observation of certain Orders for the Exchequer, first set down and established by virtue of a Privy Seal from the late Queen *Elizabeth*.

MOST humbly pray your excellent Majesty, your most loving and faithful Subjects the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That whereas the late Queen *Elizabeth*, in the Thirteenth Year of her happy Reign, out of her Princely Grace and meer Motion, by her gracious Privy Seal, to the then Lord Treasurer, Chancellor and Barons of her Majesty's Exchequer directed, did authorize and command them to set down and establish certain Orders touching the awarding of Process, Discharge without Pleading, Discharge of Issues, and the Rates of Fees within the Office of the Lord Treasurer's Remembrancer in the Exchequer: By virtue of which her Royal Commandment, upon grave Deliberation, and with the Privy and Consent of her Majesty's then learned Council thereunto called, divers Orders, being most honourable and agreeable to Justice, were conceived and established; which Orders be to this Bill annexed:

II. May it please your most excellent Majesty, for the Establishment, Continuance and Furtherance of her said Majesty's then most gracious Intention, and of your Majesty's most abundant Grace and favourable Inclination to the Good and Ease of your Highness' Subjects, that it may be enacted, and by the Authority of this present Parliament, be it enacted by the King's most excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, That all manner of Issues lost and forfeited, or hereafter to be lost and forfeited, which by the true Intent of the same late Queen's most gracious Privy Seal, and the said Orders hereunto annexed, ought to be remitted and discharged against her said Majesty, be,
 and

Certain Issues
forfeited,
remitted

and at all Times for ever hereafter shall be accordingly, by virtue of this present Act, clearly discharged and acquitted against your Majesty, your Heirs and Successors.

Offending against
Orders.

III. And be it further enacted by the Authority aforesaid, That if the Lord Treasurer's Remembrancer for the Time being, or any of his Clerks, shall, from and after the last Day of this present Session of Parliament, award any Process, exact any Pleading, or take any Fees, or otherwise in any Point demean him or themselves contrary to the true meaning of any the said Orders, that then for every such Offence which the said Lord Treasurer's Remembrancer or his Deputy, or any of his or their Clerks shall commit, the Person so offending, or in case any such Person so offending be unable to satisfy, the said Lord Treasurer's Remembrancer himself, shall forfeit and lose the Sum of Twenty Pounds; whereof the one Moiety to be to your Majesty, your Heirs and Successors, and the other Moiety to the Party grieved, to be sued for within Two Years of the Offence committed, by Action of Debt, Bill, Plaint or Information, in any your Majesty's Courts of Record at *Westminster*; wherein no Essoin, Protection, Wager of Law or Privilege shall be allowed.

Penalty.

Orders for re-
spect of Homage.

IV. The Orders set down for respect of Homage, by the Right Honourable Sir *William Cecil* of the Honourable Order of the Garter, Knight, Baron of *Burghley*, Lord Treasurer of *England*, and Master of the Court of Wards and Liveries, Sir *Walter Mildmay* Knight, Chancellor and Vice-Treasurer of her Highness' Court of the Exchequer, Sir *Edward Saunders* Knight, Lord Chief Baron of the said Court, and other the Barons of the same, calling unto them *Gilbert Gerrard* Esquire, her Majesty's Attorney General, and *Thomas Bromley* Esquire, her Highness' Solicitor General, and made the Fifteenth Day of *June*, in the Year of our Lord God One thousand five hundred three score and thirteen, and in the Fifteenth Year of the Reign of our Sovereign Lady *ELIZABETH*, by the Grace of God, Queen of *England*, *France* and *Ireland*, Defender of the Faith, &c. according to her Majesty's Privy Seal to the said Treasurer and Barons in that Behalf directed, and witnessed under their Hands as followeth:

Fines treated
out of C. P.

V. That no Process, *Ad faciend. Homagium & fidelitatem*, or *Ad faciend. fidelitatem*, or any Writ of *Scire facias*, *Capias* or Distress, from the Fines treated out of the Court of Common Pleas, shall go out of the Treasurer's Remembrancer's Office upon any Supposal, upon Pain by former Laws and Statutes limited, and by the Orders of the said Court in that Case provided, but upon a good and just Ground; and the same shall be vouched in every of the said Processes according to the Book, Term, Year, Roll and Record thereof, that it may be certainly found: And yet if by any known Record remaining in that Office it may appear the same Tenure have been traversed, then the said Processes to be discharged by the said Traverser without Pleading.

Process upon the
first Treat of
Original.

VI. Upon the Treat of the Original of the Chancery, of the first Grants of any Lands or Tenements holden in Chief, or by Knights-Service, or Socage in Chief, or of any Licence of Alienation, Pardon of Alienation, *Ouster le main*, general or special Livery, or Inrolment of any of them, Process shall

be

' be made only for the Service due thereupon, and the Parties
' upon the same shall be admitted without Pleading, as it hath
' been accustomed, to make their Fine for respect of Homage,
' or to do their Fealty forthwith, whensoever they will appear,
' and pray to be received for the same, paying the Charges of
' their said Fine, as hereafter is appointed. [See 12 Car. 2.
' c. 24.]

' VII. Where the first Tenant in any such Writ from the said
' Original or such Inrolment is returned by the Sheriff, *Mort* or
' *Nihil habet*, then shall go out according to the ancient Course
' of the said Court, a *Distring. tenent.* against the Tenants of the
' same Lands, to the Sheriff, to do their Service due to the King,
' and to shew their Entry into the same; who returning the Name
' of the Tenant of the Lands in the Writ, there shall go Process
' then every Term against the said new Tenants to do their said
' Service, and also to shew their Entry, and they to lose Issues
' thereupon, until they come in, and make their Fine for respect
' of Homage or Fealty, or do their Fealty upon the same, ac-
' cording to the ancient Course of the Exchequer.

Upon a Writ
the first Tenant
returned *Mort*,
or *Nihil habet*.

' VIII. To avoid the Charges of Pleading, upon shewing of
' any Man's Entry, it shall be lawful for every Person that by
' force of any Licence of Alienation doth come to any Lands or
' Tenements holden in Chief, assured to him in Fee-simple, Fee-tail
' general or special, or for Term of Life, by any manner of Con-
' veyance in Law from the Party in the first Original or the
' Inrolment of the same, to bring the same Licence and Convey-
' ance to the said Treasurer's Remembrancer, and thereupon the
' said Barons of the Exchequer, or the said Treasurer's Remem-
' brancer, finding the said Licence of Alienation to be good
' and agreeable to the Assurance thereupon made, and likewise
' agreeable to and from the said Original, and from and with all
' the Vouchers of the same, the Party to whom such Licence of
' Alienation is made, shall be received to inroll the said Licence
' only, and to make his Fine thereupon for respect of Homage,
' without any further Pleading, or other shewing of his Title for
' the same: And likewise whosoever shall enter into any Lands
' by Livery general, special, or *Ouster le main* (a), bringing the
' same and the Schedule of his Livery with him, he shall be re-
' ceived to like Inrolment, and making of his Fine without any
' Pleading. (a) [Taken away, 12 Car. 2. c. 24. § 4.]

Charge of plead-
ing in certain
Cases avoided.

Inrolling a
Livery or *Ouster
le maine*.

' IX. Likewise whoso that hath a Licence of Alienation of
' Lands and Tenements holden in Chief, which thereby are assured
' unto him by Fine, the same Person may also bring in his said
' Licence and Assurance thereupon, to be examined as before in
' the Fourth Article is mentioned, and the same agreeing together,
' and also agreeing from and with the Original, and from and with
' the Vouchers of the same, then the Party to be discharged
' without Pleading.

Licence of
Alienation of
Lands assured
by Fine.

' X. Where any Writ of Reversion shall be made upon any Writ of Reversion.
' Record for Lands or Tenements wherein the Prince is in Re-
' version, if it do appear by any sufficient Matter of Record
' within the Court, that the Grant or Record whereupon the said
' Writ of Reversion is made, is clearly avoided or determined; in
' such Case the Party upon shewing forth of such Record, shall be
' discharged without Pleading.

XI. Where

Manors of same
Name in one
County.

‘ XI. Where there be Two Manors or more, or other Lands
‘ and Tenements, of one Name in one County, and the one holden
‘ of the Prince in Chief, or by Knight’s Service, and the other not,
‘ in such Cases where the Matter shall so appear of Record, the
‘ Party that hath the Manors or Lands so not holden, shall be dis-
‘ charged of the Proceſs without Pleading, and the Issues there-
‘ upon loſt to be ſaved.

Issues loſt diſ-
charged, &c.

‘ XII. The Issues loſt by her Maſteſty’s Subjects, which her
‘ Highneſs of her gracious Favour and Goodneſs hath appointed
‘ by her Maſteſty’s Privy Seal to be diſcharged, be as followeth,
‘ viz.

Upon Tenants of
Lands which
they have not.

‘ XIII. All Issues loſt or to be loſt, upon any that are or ſhall
‘ be returned Tenants of Lands which they have not, ſhall be
‘ now diſcharged, though they have other Lands within the
‘ Shire; that could not ſo have been before the ſaid Privy Seal
‘ was granted.

Heirs, &c.

‘ XIV. All Issues loſt or to be loſt upon any Heirs or Ward
‘ being within Age, or in Cuſtody, or committed to any, ſhall be
‘ now as before diſcharged, that were wont to remain while the
‘ Heir come to full Age.

Committees of
Wards by Leaſe.

‘ XV. All Issues loſt or to be loſt upon the Committees of any
‘ Wards Lands by Leaſe, as returned Tenant thereof, ſhall be
‘ now diſcharged, that otherwiſe ſhould have been paid by the
‘ ſaid Committees, if they had any Lands or Tenements, Goods
‘ or Chattels, within the ſaid County.

Lands in Queen’s
Hand by Extent.

‘ XVI. All Issues loſt or to be loſt upon any Lands in the
‘ Queen’s Maſteſty’s Hands, by Extent or otherwiſe, ſhall be now
‘ diſcharged, that otherwiſe could not have been by the Courſe of
‘ the Court.

Tenants for
Life, &c.

‘ XVII. All Issues loſt or to be loſt upon the Farmers and Te-
‘ nants of any Lands for Life, Years or at Will, ſhall be now diſ-
‘ charged, that were wont to pay them being returned Tenants
‘ thereof by the Sheriffs, if they had any Lands or Goods within
‘ the Shire.

Tenants in
Chief.

‘ XVIII. All Issues loſt or to be loſt upon Tenants of Lands
‘ in Chief by Extent, ſhall be now as afore diſcharged, and could
‘ not ſo have been before, but were always leviable upon the
‘ Lands.

By undue Re-
turns of Sheriff.

‘ XIX. All Issues loſt or to be loſt by ſundry other Vexations,
‘ as well by untrue Returns and Miſreturns of Sheriffs and Under
‘ Sheriffs, ſhall or may be diſcharged, moderated or otherwiſe
‘ ordered, as the Court ſhall think meet, that were infinite before,
‘ and could not be diſcharged, but the Party was driven to take
‘ his Remedy againſt the Sheriff.

Lands in Chief,
&c.

‘ XX. All Issues loſt or to be loſt upon any former Grant of
‘ Lands and Tenements in Chief, that are afterwards given not
‘ to be holden in Chief, ſhall be now diſcharged by this Privy Seal,
‘ and could no way have been remitted, until the Second Grant
‘ had been laid and pleaded.

By Jurors.

‘ XXI. All Issues loſt or to be loſt by any Perſon returned in
‘ any Jury in the Exchequer, or in any Attaint or Jury in the
‘ King’s Bench or Common Pleas at *Weſtmiſter*, or in any Jury
‘ before the Juſtices of Aſſize in any Court within the Realm,
‘ which at the Time of their Appearance appointed, were be-
‘ yond Sea in her Maſteſty’s Service, or by ſpecial Licence in
‘ Writing,

Writing, or were or shall be in Prison, or in Ordinary of her Majesty's Chamber or Household, and bound to their personal Attendance there, shall be now discharged clear, that before could by no Means be holpen.

XXII. Rata finium pro homag. tenent. Dominæ Reginæ per unum annum integrum respectuand. cum feod. Rememorat. Thefaur. & pro intrac. finium cum record. inde fact. ac pro feod. Attorn. pro eodem anno integro exhibit. Parliament.

| Valor terrarum. | | Fines reginæ. | Feod. Rem. Thef. | Pro. intrac. | Pro feod. Attorn. |
|-----------------|------------------|---------------|------------------|--------------|--|
| Li. A | Li. C. ad. lx. | s. x. | d. xx. | d. iv. | By some d. xl. |
| Li. A | Li. lx. ad. xxx. | marc. dim. | d. xx. | d. iv. | By some d. xx. |
| Li. A | Li. xxx. ad. xx. | s. v. | d. xx. | d. iv. | By some nil. |
| Li. A | Li. xx. ad. xv. | d. xl. | d. xx. | d. iv. | |
| Li. A | Li. xv. ad. x. | s. ii. | d. xx. | d. iv. | |
| Li. A | Li. x. ad. x. | marc. xx. | d. xx. | d. iv. | By some voluntary Annuities for all Matters. |
| marc. A | s. x. ad. C. | d. xii. | d. xii. | d. iv. | |
| s. A | s. C. ad. lx. | d. viii. | d. viii. | d. iv. | |
| s. A | s. lx. & infr. | d. iv. | d. iv. | d. iv. | |

These never lose Issues, but have their Fines paid, whether they come or come not.

XXIII. Item, That the said Fines shall be paid after the said Rate exhibited to the Parliament House, and not otherwise.

According to the said Treasurer's Remembrancer's own Offer, ^{Writ upon Supposal} for himself and the Clerks of his Office, it is ordered, That he himself shall pay every Subject's Charges, as by the Court of Exchequer shall be set and ordered, that shall be vexed by any Writ upon a Supposal, and not upon a good and just Ground vouched and set down in every Writ, as before is declared.

XXIV. The Clerks of the said Treasurer's Remembrancer's Office shall pay all Issues that any of her Majesty's Subjects shall lose, after he hath paid his ordinary Fine for respect of Homage to any of them for any Lands or Tenements, and so may be proved by any of their Acquittances, *W. Burleigh, Walter Myldemaie, Edward Sanders, George Frevile, John Birche.*

Ex.

Ex. per G. Gerrard, Thomas Bromley. Ex. per John Osbourne, decimo septimo Novemb. 1601.

Process for
Tenures of the
Crown.

XXV. Provided always nevertheless, and be it enacted by the Authority aforesaid, If in case it shall be thought fit, for the true Knowledge and Preservation of the Tenures appertaining to the Crown, and so ordered in the open Court of Exchequer, that Process should issue out of the said Court against any, that in every such Case the said Treasurer's Remembrancer, or any his Clerks, may send out the said Process without incurring any the Penalties of this Act: In which case, no such Tenure appearing to the Court, the Party shall be clearly dismissed, without any manner of Pleading or paying any Fees at all.

C A P. XXVII.

† Sic.

An Act for the better Execution of the Intent and Meaning of former Statutes made against shooting in † Guns, and for the Preservation of the Game of Pheasants and Partridges, and against the destroying of Hares with Hare-pipes, and tracing Hares in the Snow.

13 R. 2. Stat. I.
c. 13.
11 H. 7. c. 17.
19 H. 7. c. 11.
5 Eliz. c. 21.
23 Eliz. c. 10.

FORASMUCH as there be divers good and necessary Laws and Statutes which do inflict and impose divers great and heavy Penalties, Punishments and Forfeitures upon such as should with any Guns, Nets, Cross-bows, or other Instruments or Engines, spoil or destroy the Game of Pheasants, Partridges, Hearn, Mallard, and such like; and upon such as kill or destroy Hares with Hare-pipes, Cords or other Engines, or should kill any Hare by tracing and coursing them with Dogs in the Snow: And nevertheless of late Years, the several Games above mentioned have been more excessively and outrageously spoiled and destroyed, than hath been in former Ages, especially by the vulgar Sort, and Men of small Worth, making a Trade and a Living of the Spoiling and Destroying of the said Games, who are not of Sufficiency to pay the said Penalties in the said Statutes mentioned, nor to answer the Costs and Charges of any that should inform and prosecute against them in any of his said Majesty's Courts of Record at *Westminster*, upon any of the said Penal Laws and Statutes; by Reason whereof few Suits have been attempted upon the said Laws, and for the said Forfeitures, whereby the Good thereby meant and hoped hath not succeeded, and thereby great Scarcity of the said Games in all, or in the most Parts of this Realm, hath followed, and presently is, and so is like to be, if some Remedy be not in that Behalf provided:

Shooting at
Game.

II. Be it therefore enacted by the Authority of this present Parliament, That all and every Person and Persons, which from and after the First Day of *August* next following shall shoot at, kill or destroy with any Gun, Cross-bow, Stone-bow or Long-bow, any Pheasant, Partridge, House-dove or Pigeon, Hearn, Mallard, Duck, Teal, Widgeon, Grouse, Heath-cock, Moregame, or any such Fowl, or any Hare (a); or after the said First Day of *August* shall take, kill or destroy any Pheasant, Partridge, House-dove or Pigeon, with Setting-dogs and Nets, or with any

(a) [*Repealed, as to Hares, 48 G. 3. c. 93. § 1.*]

Manner

Manner of Nets, Snares, Engines or Instruments whatsoever; or shall take the Eggs of any Pheasant, Partridge or Swans out of the Nests, or willingly break, spoil or destroy the same in the Nest; or after the said First Day of *August* shall trace or course any Hares in the Snow, or at any Time take or destroy any Hares with any Hare-pipes, Cords, or with any such Instruments or other Engines: And the same Offence or Offences being proved, by the Confession of the Party, or by the Testimony of Two sufficient Witnesses (b) upon Oath before Two or more Justices of Peace of the same County, City or Town Corporate, wherein the Offence shall be committed, or the Party offending apprehended, shall be by the said Justices of Peace, for every such Offence committed to the Common Gaol of the said County, City or Town Corporate, where the Offence shall be committed, or the Parties apprehended, there to remain for Three Months without Bail or Mainprize, unless that the said Offender do or shall forthwith upon the said Conviction, pay or cause to be paid, to the Churchwardens of the said Parish where the said Offence shall be committed, or the Party apprehended, to the Use of the Poor of the said Parish, the Sum of Twenty Shillings for every Pheasant, Partridge, House-dove, Pigeon, Hearn, Mallard, Duck, Teal, Widgeon, Grouse, Heath-cock, Moregame or any such Fowl, and for every Egg of Pheasant, Partridge or Swans, and for every Hare, which any and every such Person and Persons so offending and convicted as aforesaid, shall take, kill or willingly destroy, contrary to the true Purport and true Meaning of this Statute; or after One Month after his Commitment, together with Two sufficient Sureties, become bound by Recognizance in the Sum of Twenty Pounds a-piece to the King's Majesty's Use, his Heirs and Successors, with Condition that he the said Party so offending shall not at any Time thereafter shoot at, kill, take or destroy any of the said Games before mentioned, by any of the Means aforesaid: Which said Recognizances shall be taken by any Two or more Justices of Peace of the said County, City or Town Corporate, where the Offender shall be so imprisoned as aforesaid, and shall be returned to the then next Quarter-Sessions, and there to remain of Record as other Recognizances taken for the Peace.

Taking Eggs.

Tracing Hares.

Imprisonment.

Penalty.

Sureties for good behaviour.

III. And for the better Preservation of Deer, Hares (c) and other the Games aforesaid, Be it further enacted by the Authority aforesaid, That all and every Person and Persons which from or after the said First Day of *August* shall have or keep any Greyhound for coursing of Deer or Hare, or Setting-dog or Dogs, or Net or Nets, to take Pheasants or Partridges, except such Person or Persons which shall be seised in their own Right or in the Right of their Wives, of Lands, Tenements or Hereditaments, of the clear yearly Value of Ten Pounds by the Year or more, over and above all Charges and Reprises, of some Estate of Inheritance; or of Lands, Tenements or Hereditaments in his own Right or in the Right of his Wife, for Term of Life or Lives, of the yearly Value of Thirty Pounds over and above all Charges and Reprises; or be possessed of Goods or Chattels to the full Value of Two hundred Pounds to his own Use; or be the Son or Sons of any Knight,

Keeping Greyhound, &c. with Nets to take Pheasants, &c.

(b) [One Witness sufficient, 7 Jac. I. c. 11. § 8.]

(c) [See Note (a) to § 2.]

Penalty.

or of any Baron of Parliament, or of some Person of higher Degree, or the Son and Heir apparent of any Esquire; and being thereof convicted as aforesaid, shall by the said Justices of the Peace be committed and imprisoned in Manner and Form as in and by this present Act before is expressed, specified and declared: Except such Person and Persons so offending and thereof convicted as aforesaid, do forthwith pay or cause to be paid to the Churchwardens of the said Parish where the said Offence shall be committed, or the Party apprehended, to the Use of the Poor of the said Parish, the Sum of Forty Shillings of good and lawful Money of England.

Selling or buying
to sell again
Deer, &c.

IV. And be it further enacted by the Authority aforesaid, That every Person and Persons which at any Time after the said First Day of *August* shall sell or buy to sell again, any Deer, Hare (*d*), Partridge or Pheasant, (except Partridge and Pheasants reared and brought up in House or Houses, or brought from beyond the Seas) shall forfeit for every Deer so bought and sold, Forty Shillings, for every Hare (*d*) Ten Shillings, and for every Partridge Ten Shillings, and for every Pheasant so to be bought and sold Twenty Shillings: Of all which Forfeitures the One Moiety shall be to him or them that will sue for the same by Bill, Indictment or Information, and the other Moiety to the Poor of the Parish where the said Offence or Offences shall be committed.

Penalty.

Where no
Punishment by
former Law,

V. And be it further enacted by the Authority aforesaid, That no Person or Persons shall or may after the said First Day of *August* be punished by Force of any former Statute or Law, for any of the said Offences for which by Force of this Law any Punishment shall be inflicted: And that all Justices of Assize in their several Circuits, and all Justices of the Peace in their General Quarter-Sessions, and any Two Justices of Peace or more together, out of any Sessions, shall and may by Force of this present Act have full Power and Authority to examine, hear, punish and determine all Offences to be committed against this present Statute, and to administer Oaths as aforesaid, and perform and execute all and every Act and Thing fit or requisite for the due Execution of this present Act.

Who may deter-
mine Offences.

"Who may take Pheasants with Nets, and when. § 6. 1
[*Repealed, 7 Jac. I. c. 11. § 5, 6.*]

Licence to shoot
for Hawks-meat.

VII. And be it also further enacted by the Authority aforesaid, That it shall and may be lawful to and for every Person and Persons keeping any Hawk or Hawks, which at the General Quarter-Sessions of the County where he and they shall dwell, shall be licensed, to shoot Hail-shot in Hand-guns or Birding-pieces, at Crow, Chough, Pye, Rook, Ring-dove, Jey or smaller Birds, for Hawks-meat only, to shoot and kill Hawks-meat, according to the said Licence only; so that such Party so to be licensed do at the same Quarter-Sessions wherein he shall be licensed, become bound to the King's Majesty by Recognizance in Twenty Pounds not to shoot at any the Fowl or Game at which shooting is prohibited by this Law; and so that he or they shall not shoot in any Hand-gun or other Gun, within Six hundred Paces of any Hermy, nor within One hundred Paces of any Pigeon-house, nor in any Park,

(*d*) [See Note (*a*) to § 2.]

Forest

Forest or Chase, whereof the Party so licensed or his Master, is or shall not be the Owner, Keeper or Governor: For which Licence ^{Fee.} and Recognizance the Clerk of the Peace is to take only Twelve Pence and no more. This Law to continue to the End of the First ^{Continuance;} Session of the next Parliament.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.]

C A P. XXVIII.

An Act for Confirmation of the King's Majesty's Charter and Letters Patents (a), granted to the Mayor, Bailiffs and Burgesies of the Borough of *Berwick* upon *Tweed*, and their Successors, and of the Franchises, Liberties, Privileges, Jurisdictions and Customs of the said Borough.

(a) [Bearing Date at Westminster, 30th April, 2 Jas.]

C A P. XXIX.

An Act to encourage the Seamen of *England* to take Fish, whereby they may increase to furnish the Navy of *England*. EXP.

C A P. XXX.

An Act for the Erecting and Building of a Church in *Melcombe Regis*, to be the Parish Church of *Radipoll*; and for making the old Church of *Radipoll* a Chapel belonging to the same.

C A P. XXXI.

An Act for the charitable Relief and ordering of Persons infected with the Plague.

FORASMUCH as the Inhabitants of divers Cities, Boroughs, Towns Corporate, and of other Parishes and Places, being visited with the Plague, are found to be unable to relieve the poorer Sort of such People so infected, who of Necessity must be by some charitable Course provided for, lest they should wander abroad and thereby infect others: And forasmuch as divers Persons infected with that Disease, and others inhabiting in Houses and Places infected, as well poor People and unable to relieve themselves that are carefully provided for, as others which of themselves are of Ability, being commanded by the Magistrate or Officer of or within the Place where the Infection shall be, to keep their Houses, or otherwise to separate themselves from Company for the avoiding of further Infection, do notwithstanding very dangerously and disorderly misdemean themselves:

II. Be it therefore enacted by the Authority of this present Parliament, That the Mayor, Bailiffs, Head Officers and Justices of Peace of every City, Borough, Town Corporate and Places privileged, where any Mayor and Bailiffs, Head Officers or Justices of Peace are or shall be, or any Two of them, shall have Power and Authority from Time to Time, to tax and assess all and every Inhabitant, and all Houses of Habitation, Lands, Tenements and Hereditaments within the said City, Borough, Town Corporate and

Taxing Inhabitants for Relief of Sick of the Plague.

Places privileged, or the Liberties, or Precincts thereof, at such reasonable Taxes and Payments as they shall think fit for the reasonable Relief of such Persons infected, or inhabiting in Houses and Places infected in the same Cities, Boroughs and Towns Corporate, and Places privileged, and from Time to Time to levy the same Taxes of the Goods of every Person refusing or neglecting to pay the said Taxes, by Warrant under the Hand and Seal of the Mayor and Bailiffs, and Head Officers aforesaid, or Two such Justices of Peace, to be directed to any Person or Persons for the Execution thereof.

Refusing to pay. **III.** And if the Party to whom such Warrant is or shall be directed shall not find any Goods to levy the same, and the Party taxed shall refuse to pay the same Tax, That then upon Return thereof the said Mayor, Bailiffs, Head Officers or Justices of Peace or any Two of them, shall by like Warrant under their Hands and Seals cause the same Person so taxed to be arrested and committed to the Gaol without Bail or Mainprize, until he shall satisfy the same Taxation and the Arrearages thereof.

Penalty. **IV.** And if the Inhabitants of any such City, Borough, Town Corporate or Place privileged, shall find themselves unable to relieve their said poor infected Persons and others as aforesaid, That then upon Certificate thereof by the Mayor, Bailiff, Head Officers and other the said Justices of Peace, or any Two of them, to the Justices of Peace of the County of or near to the said City, Borough, Town Corporate or privileged Place so infected, or any Two of them to be made, the said Justices of or near the said County or any Two of them, shall or may tax and assess the Inhabitants of the County within Five Miles of the said Place infected; at such reasonable weekly Taxes and Rates as they shall think fit, to be levied by Warrant from any such Two Justices of Peace of or near the County, by Sale of Goods, and in Default thereof by Imprisonment of the Body of the Party taxed as aforesaid.

Where Infection and no Justices of Peace. **V.** And if any such Infection shall be in any Borough, Town Corporate or privileged Place where there are or shall be no Justices of Peace, or in any Village or Hamlet within any County, That then it shall and may be lawful for any Two Justices of Peace of the said County wherein the said Place infected is or shall be, to tax and assess the Inhabitants of the said County within Five Miles of the said Place infected, at such reasonable weekly Taxes and Rates as they shall think fit, for the reasonable Relief of the said Places infected, to be levied by Warrant from the said Justices of Peace of the same County by Sale of Goods, and in Default thereof by Imprisonment of the Body of every Party so taxed as aforesaid: the same Taxes made by the said Justices of Peace of the County for the Relief of such Cities, Boroughs, Towns Corporate and Places privileged where there are no Justices of Peace, to be disposed as they shall think fit; and where there are Justices of Peace then in such Sort as to the Mayors, Bailiffs, Head Officers and Justices of Peace there or any Two of them shall seem fit and convenient.

Taxes assessed to be certified at Quarter-Sessions. **VI.** All which Taxes and Rates made within any such City, Borough, Town Corporate or Place privileged, shall be certified at the next Quarter-Sessions to be holden within the said City, Borough, Town Corporate or Place privileged; and the said Taxes and Rates made within any Part of the said County, shall in like Sort

Sort be certified at the next Quarter-Sessions to be holden in and for the said County; and that if the Justices of Peace at such Quarter-Sessions respectively, or the more Part of them, shall think it fit the said Tax or Rate should continue, or be enlarged or extended to any other Parts of the County, or otherwise determined, then the same to be so enlarged, extended or determined, encreased or taxed and levied in Manner and Form aforesaid, as to the said Justices at the Quarter-Sessions respectively shall be thought fit and convenient: And every Constable and other Officer that shall wilfully make Default in levying such Money as they shall be commanded by the said Warrant or Warrants, shall forfeit for every such Offence Ten Shillings, to be employed on the charitable Uses aforesaid.

Officers neglecting.

Penalty.

VII. And be it further enacted, That if any Person or Persons infected, or being or dwelling in any House infected, shall be, by the Mayor, Bailiffs, Constable or other Head Officer of any City, Borough, Town Corporate, privileged Place or Market Town, or by any Justice of Peace, Constable, Headborough or other Officer of the County (if any such Infection be out of any City, Borough, Town Corporate, privileged Place or Market Town) commanded or appointed, as aforesaid, to keep his or their House, for avoiding of further Infection, and shall notwithstanding wilfully and contemptuously disobey such Direction and Appointment, offering and attempting to break out and go Abroad, and to resist, or going Abroad and resisting such Keepers or Watchmen as shall be appointed, as aforesaid, to see them kept in; that then it shall be lawful for such Watchmen with Violence to enforce them to keep their Houses: And if any Hurt come by such Enforcement to such disobedient Persons, that then the said Keepers, Watchmen and any other their Assistants, shall not be impeached therefore: And if any infected Person as aforesaid, so commanded to keep House, shall, contrary to such Commandment, wilfully and contemptuously go Abroad, and shall converse in Company, having any infectious Sore upon him uncured, that then such Person and Persons shall be taken, deemed and adjudged as a Felon, and to suffer Pains of Death as in Case of Felony: But if such Person shall not have any such Sore found about him, then for his said Offence to be punished as a Vagabond in all Respects should or ought to be, by the Statute made in the Nine and thirtieth Year of the Reign of our late Sovereign Lady Queen *Elizabeth* (a), for the Punishment of Rogues and Vagabonds; and further, to be bound to his or their Good Behaviour for One whole Year.

Infected Person refusing to keep House.

Death.

39 Eliz. c. 4.

VIII. Provided, That no Attainder of Felony by virtue of this Act shall extend to any Attainder or Corruption of Blood, or Forfeiture of any Goods, Chattels, Lands, Tenements or Hereditaments.

Provide.

IX. And be it further enacted by the Authority aforesaid, That it shall be lawful for Justices of Peace, Mayors, Bailiffs and other Head Officers aforesaid, to appoint within their several Limits Searchers, Watchmen, Examiners, Keepers and Buriers, for the Persons and Places respectively infected as aforesaid, and to administer unto them Oaths for the Performance of their Offices of Searchers, Examiners, Watchmen, Keepers and Buriers, and

Attendants appointed.

Continuance.

give them other Directions, as unto them for the present Necessity shall seem good in their Discretions; and this Act to continue no longer than until the End of the First Session of the next Parliament. [See Note at End of AB.]

Proviso for Universities, &c.

X. Provided always, and be it enacted by Authority of this present Parliament, That no Mayors Bailiffs, Head Officers, or any Justices of Peace, shall by Force or Pretext of any Thing in this Act contained, do or execute any Thing before mentioned within either the Universities of *Cambridge* or *Oxford*, or within any Cathedral Church, or the Liberties or Precincts thereof, in this Realm of *England*. or within the Colleges of *Eton* or *Windsor*; but that the Vice Chancellor of either of the Universities for the Time being, within either of the same respectively, and the Bishop and Dean of every such Cathedral Church, or One of them, within such Cathedral Church, and the Provost or Warden of either of the said Colleges within the same, shall have all such Power and Authority, and shall do and execute all and every such Act and Acts, Thing and Things in this Act before mentioned, within their several Precincts and Jurisdictions abovesaid, as wholly, absolutely and fully, to all Intents and Purposes, as any Mayor, Bailiffs, Head Officers or Justices of Peace, within their several Precincts and Jurisdictions may elsewhere by Force of this Act do and execute.

[Continued, 3 Car. I. c. 4, § 22. 16 Car. I. c. 4.]

C A P. XXXII.

An Act for Repair of *Dover* Haven, EXP.

C A P. XXXIII.

An Act of a Subsidy of Tonnage and Poundage. EXP.

Anno Regni JACOBI Regis, Angliæ, Scotiæ, Franciæ
& Hiberniæ, viz. Angliæ, Franciæ & Hiberniæ,
tertio, & Scotiæ tricesimo nono. (A.D. 1605.)

STATUTES made in the Parliament begun and holden by Pro-
rogation at Westminster the Fifth Day of November in the
Years of the Reign of our most gracious and excellent Sovereign
Lord JAMES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c.
viz. of England, France and Ireland, the Third, and of
Scotland the Nine and thirtieth; and there continued until
and on the Seven and twentieth Day of May then next following,
and prorogued until and on the Eighteenth Day of November
next following; viz.

[Here the Roll is indorsed, " ROTULUS PARLIAMENTI TENT. PER
" PROROGACIÖEM QUINTO DIE NOVEMBRIS, ANNO REGNI
" REGIS JACOBI TERTIO."]

C A P. I.

An Act for a Publick Thanksgiving to Almighty God every
Year on the Fifth Day of November.

FORASMUCH as Almighty God hath in all Ages shewed
his Power and Mercy in the miraculous and gracious De-
liverance of his Church, and in the Protection of Religious
Kings and States; and that no Nation of the Earth hath been
blessed with greater Benefits than this Kingdom now enjoyeth,
having the true and free Profession of the Gospel under our most
gracious Sovereign Lord King James, the most great, learned
and religious King that ever reigned therein, enriched with a
most hopeful and plentiful Progeny, proceeding out of his Royal
Loins, promising Continuance of this Happiness and Profession
to all Posterity: The which, many malignant and devilish Pa-
pists, Jesuits and Seminary Priests, much envying and fearing,
conspired most horribly, when the King's most excellent Ma-
jesty, the Queen, the Prince, and all the Lords Spiritual and
Temporal, and Commons, should have been assembled in the
Upper House of Parliament upon the Fifth Day of November
in the Year of our Lord One thousand six hundred and five, sud-
denly to have blown up the said whole House with Gun-
powder: An Invention so inhumane, barbarous and cruel, as the
like was never before heard of, and was (as some of the principal
Conspirators thereof confess) purposely devised and concluded
to be done in the said House, that where sundry necessary and
religious Laws for Preservation of the Church and State were
made, which they falsely and slanderously term cruel Laws,
enacted against them and their Religion, both Place and Persons
should

‘ should be all destroyed and blown up at once; which would
 ‘ have turned to the utter Ruin of this whole Kingdom, had it
 ‘ not pleased Almighty God, by inspiring the King’s most excel-
 ‘ lent Majesty with a Divine Spirit, to interpret some dark Phrases
 ‘ of a Letter shewed to his Majesty, above and beyond all ordinary
 ‘ Construction, thereby miraculously discovering this hidden Trea-
 ‘ son not many Hours before the appointed Time for the Exe-
 ‘ cution thereof: Therefore the King’s most excellent Majesty,
 ‘ the Lords Spiritual and Temporal, and all his Majesty’s faithful
 ‘ and loving Subjects, do most justly acknowledge this great and
 ‘ infinite Blessing to have proceeded meerly from God his great
 ‘ Mercy, and to his most holy Name do ascribe all the Honour,
 ‘ Glory and Praise: And to the End this unfeigned Thankfulness
 ‘ may never be forgotten, but be had in a perpetual Remem-
 ‘ brance, that all Ages to come may yield Praises to his Divine
 ‘ Majesty for the same, and have in Memory this joyful Day of
 ‘ Deliverance;’

Thanks to be
 given in every
 Church yearly.

II. Be it therefore enacted by the King’s most excellent Ma-
 jesty, the Lords Spiritual and Temporal, and the Commons, in
 this present Parliament assembled, and by the Authority of the
 same, That all and singular Ministers in every Cathedral and Pa-
 rish Church, or other usual Place for Common Prayer, within this
 Realm of *England* and the Dominions of the same, shall always
 upon the Fifth Day of *November* say Morning Prayer, and give
 unto Almighty God Thanks for this most happy Deliverance:
 And that all and every Person and Persons inhabiting within this
 Realm of *England* and the Dominions of the same, shall always
 upon that Day diligently and faithfully resort to the Parish Church
 or Chapel accustomed, or to some usual Church or Chapel where
 the said Morning Prayer, Preaching, or other Service of God shall
 be used, and then and there to abide orderly and soberly during
 the Time of the said Prayers, Preaching, or other Service of
 God there to be used and ministred.

The Minister to
 give Warning of
 the Day the Sun-
 day before.

III. And because all and every Person may be put in Mind of
 this Duty, and be then better prepared to the said Holy Service,
 be it enacted by Authority aforesaid, That every Minister shall
 give warning to his Parishioners publickly in the Church at
 Morning Prayer, the *Sunday* before every such Fifth Day of *No-
 vember*, for the due Observation of the said Day: And that after
 Morning Prayer or Preaching upon the said Fifth Day of *No-
 vember*, they read publickly, distinctly and plainly this present
 Act.

C A P. II.

An Act for the Attainder of divers Offenders in the late
 most barbarous, monstrous, detestable and damnable
 Treasons.

‘ IN most humble Manner beseechen your most excellent Ma-
 ‘ jesty, your most loyal, faithful and true-hearted Subjects,
 ‘ the Lords Spiritual and Temporal, and the Commons, in this
 ‘ present Parliament assembled, That whereas *Arthur Creswel* Je-
 ‘ suit, who at the Time of his Profession to be a Jesuit took
 ‘ upon him the Name of *Joseph Creswel*, *Oswald Tesmond* Jesuit
 ‘ and *Thomas Winter* late of *Huddington* in the County of *Wor-
 ‘ cester*,

cesser, Gentleman, the last Day of *June* in the Four and fortieth
 Year of the late Queen *Elizabeth* of famous Memory, at *Valedo-*
lid within the Kingdom of *Spain*, and at divers other Days within
 the same Four and fortieth Year of the said late Queen, at *Vale-*
dolid aforesaid, and elsewhere within the same Kingdom of *Spain*,
 by the Means, Procurement and Privy of *Robert Catesby*, late
 of *Abby* in the County of *Northampton*, Esquire, *Francis Tresbam*,
 late of *Rushton* in the said County of *Northampton*, Esquire, and
Henry Garnet Jesuit, (assuming upon him to be Superior of the
 Jesuits within this Realm of *England*) and others, being all
 natural born Subjects of this Realm, did traitorously and against
 the Duty of their Allegiance, move and incite *Philip*, then and
 yet King of *Spain*, then being at open Enmity and Hostility with
 the said late Queen, with Force to invade this Kingdom of *Eng-*
land, and to join with the Papists and discontented Persons within
 this Realm of *England*, to depose and overthrow the same late
 Queen of and from her Crown, and of and from all her Royal
 Estate, Title and Dignity, and to suppress and abolish the true
 Religion of Almighty God, truly and sincerely professed within
 this Kingdom, and to restore the Superstitious *Romish* Religion
 within the same, and to bring this ancient, famous and most re-
 nowned Kingdom to utter Ruin and miserable Captivity under
 foreign Power: And for that the greatest Impediment unto the
 same Invasion, would be the Want of Help of good Horses,
 the said *Thomas Winter*, the rather to encourage the same King
 thereunto, was to offer to the same King on the Behalf of the
 Papists of *England*, to give him Assistance presently upon the
 Landing of his Forces, with One thousand five hundred, or Two
 thousand Horses; and that for their better Accomplishing
 thereof, he should move the same King to furnish the Papists of
England with a good Sum of Money, partly to be employed to
 provide and furnish the Horses, and partly in Pensions, to be
 employed upon some such as were to be prepared for that Ser-
 vice: All which the said *Thomas Winter* did relate to the said
 King of *Spain*, who (the said Kingdoms of *England* and *Spain*
 then standing in Hostility) took that Offer in very good Part,
 saying, That he would respect and account of the Catholicks of
England, (meaning the Papists) as of his own *Castilians*, and
 thereupon agreed that he would make Invasion, and set Foot in
England, about the Spring then next following, and would by
 way of Exchange send over unto the Papists of *England* One
 hundred thousand Crowns, to be paid at Two several Days
 agreed upon. All which Particulars are extant in the Confession
 of some of the chiefest Offenders; at which Time sundry Pa-
 pists of *England* did extraordinarily furnish themselves by the
 traitorous and wicked Persuasion and Means of sundry Jesuits,
 both with Horse and Armour.

II. But before these Things could be effected, Almighty
 God called the said late Queen to his Mercy: Immediately
 after whose Decease, that is to say, in the same Month of *March*,
 wherein she departed out of this World, *Christopher Wright*, late
 of *London*, Gentleman, was employed by the said *Robert*
Catesby, *Francis Tresbam*, *Henry Garnet* and others, into *Spain*, to
 negotiate with the said King of *Spain*, by the Means of the
 said *Creswel* the Jesuit, and others, to proceed in that Invasion,
 which

which the said *Thomas Winter* had before negotiated with him :
 And afterward on the Two and twentieth Day of *June* in the
 First Year of your Majesty's Reign over this Realm of *England*,
 Sir *William Stanley*, Knight, *Hugh Owen*, Esquire, *William Baldwin*,
 Jesuit, and others, did by and with the traitorous Procurement,
 and the Consent of the Offenders aforesaid, from and out
 of *Flanders*, in the Parts beyond the Seas, under the Government
 of the Archduke, traitorously employ and send *Guy Fawks*,
 late of *London*, Gentleman, unto the said King of *Spain*, to negotiate
 with him on the Behalf of the said Papists of *England*, for
 Invasion to be had against this Realm of *England*, to the same
 Effect as was committed to the said *Christopher Wright*, as is
 aforesaid: And the said *Guy Fawks* and *Christopher Wright*,
 though they had all the Furtherance of the said *Creswel* the Jesuit
 that he could give, yet finding no such Entertainment with
 the said King, who (as by the Sequel appeareth) grew into Detestation
 with the said Propositions and Negotiations, as they expected or
 desired; but being wholly disappointed of all their Hopes concerning
 that Matter, the said *Robert Catesby*, and divers other Persons within
 this Realm, did send over the said *Thomas Winter* into the said
 Country of *Flanders*, to procure the said *Guy Fawks*, a natural born
 Subject of this Realm, and yet a most traitorous, desperate and bloody
 minded Person, then serving as a Soldier in the *Low Countries*, to come
 over into this Realm, and by and with the traitorous Conspiracy and
 Consent of the said *Henry Garnet*, *Oswald Tesmond*, *John Gerrard*, and
 other Jesuits, and *Thomas Percy*, late of *London*, Esquire, *John
 Wright*, late of *London*, Gentleman, the said *Christopher Wright*,
Francis Tresbam, *Robert Winter*, late of *Huddington*, aforesaid,
 Esquire, *John Graunt*, late of *Norbrook* in the County of *Warwick*,
 Esquire, *Ambrose Rookwood*, late of *Stanningfield* in the County of
Suffolk, Esquire, *Everard Digby*, late of *Goteburst* in the County of
Buckingham, Knight, *Robert Keyes*, late of *London*, Gentleman,
 and *Thomas Bates*, late of *London*, Yeoman, to undertake the Execution
 of the most wicked, barbarous, execrable and abominable Treason
 that ever could enter into the Heart of the most wicked Man, by
 blowing up with Gun-powder the House of Parliament, at such Time
 as your most excellent Majesty, and your dearest Consort the Queen,
 and the most noble Prince *Henry*, together with the Lords Spiritual
 and Temporal, the Judges of the Realm, and the Knights, Citizens
 and Burgeses of Parliament, should be in the said Parliament House
 assembled, (for which most traitorous and barbarous Purpose there
 were secretly laid in a Vault or Cellar under the Parliament House,
 Thirty six Barrels of Gun-powder, or thereabouts) to the utter
 Overthrow and Subversion of the whole State of this flourishing
 and renowned Kingdom, if God of his infinite Mercy had not
 most miraculously, by your Majesty's blessed Direction, discovered
 the same, in finding out the said Barrels of Gun-powder in the
 said Vault or Cellar, but few Hours before the Time appointed
 for the Execution thereof; all which most heinous, horrible and
 damnable Treasons are most manifest and apparent by the
 voluntary Confessions and Acknowledgments of the Offenders
 themselves: Of which most barbarous, bloody and detestable
 Treason for conspiring and preparing

paring to blow up the said Parliament House with Gun-powder, the said *Robert Winter, Thomas Winter, Guy Fawks, Robert Keys, Ambrose Rookwood, John Graunt and Thomas Bates*, have been lately indicted, and during this present Session of Parliament, arraigned, convicted by Verdict, and thereupon attainted: And the said *Sir Everard Digby*, Knight, hath likewise been indicted, and during this present Session of Parliament convicted and attainted by his own Confession of Record upon his Arraignment, according to the Laws of this your Majesty's Realm, as by the Records of their several Indictments and Attainders it doth and may more plainly appear; and for the which Offences the said *Sir Everard Digby, Robert Winter, Thomas Winter, Guy Fawks, Ambrose Rookwood, John Graunt, Robert Keys and Thomas Bates*, have suffered Pains of Death according to their Demerits: And the said *Robert Catesby, Thomas Percy, John Wright and Christopher Wright*, were lately slain in open Rebellion, by them and others the said most wicked Traitors moved and stirred within divers Parts and Counties of this Realm, shortly after the said Discovery of their said most detestable and damnable Treason, in conspiring and preparing to blow up the said Parliament House as aforesaid: And the said *Hugh Owen* doth (of Purpose, and for Fear of condign Punishment according to his Demerits) reside and keep himself beyond the Seas, by Means whereof he cannot in respect of such his voluntary Absence, be arraigned, and publicly by due Trial of Law, upon apparent Testimony and Proof against him, be proceeded withal for his most heinous and abominable Treasons: And the said *Francis Tresbam* being likewise one of the said most detestable Traitors, and being apprehended and imprisoned in the Tower of London, having by sundry his Examinations confessed himself a principal Traitor in all the said most wicked and abominable Treasons, died in the said Tower, during the Time of his said Imprisonment, and before he could be indicted of the said Treason:

III. It may therefore please your Majesty, of your blessed Care and Disposition to and for the Continuance of God's true Religion and Service, and for the Preservation and Safety of your most excellent Majesty, and the gracious Queen, the most noble Prince, and the Rest of your Royal Progeny, and for the entire Love, Favour and hearty Affection, that your Majesty hath always heretofore born, and yet beareth to the Commonwealth and Safety of this your Realm of England, (to the End that all others may hereafter fear to enter into any Cogitation to attempt the like barbarous and detestable Treasons), That all and every the Convictions and Attainders of the said *Robert Winter, Thomas Winter, Guy Fawks, Ambrose Rookwood, John Graunt, Robert Keys, Thomas Bates and Sir Everard Digby*, may be approved and confirmed; and be the same approved and confirmed by the Authority of this present Parliament: And that it may be further enacted by the Authority aforesaid, That as well the said *Robert Winter, Guy Fawks, Ambrose Rookwood, John Graunt, Robert Keys, Thomas Bates and Sir Everard Digby*, as also the said *Robert Catesby, Thomas Percy, John Wright, Christopher Wright, Hugh Owen and Francis Tresbam*, and every of them, for the most abominable and detestable Treason, in conspiring and preparing the Blowing up of the said Parliament House, stand and be adjudged, and by Authority of this present

Convictions and Attainders confirmed.

Penalties.

present Act, convicted and attainted of High Treason: And that such and so many of the said Offenders and Persons as are attainted by the Courfe of the Common Laws of this Realm, as is aforesaid, shall lose and forfeit to your Majesty, and to your Heirs and Successors, all and every such their Manors, Messuages, Lands, Tenements, Rents, Reversions, Remainders, Possessions, Rights, Conditions, Interests, Offices, Fees, Annuities and all other their Hereditaments, Goods, Chattels, Debts and other Things of whatsoever Names, Natures or Qualities they be, which they the said Offenders and Persons already attainted by the Courfe of the Common Laws of this Realm, as is aforesaid, or any of them had, or any other Person or Persons, to their or any of their Use or Uses, had the Day of the said several Treasons specified in the several Indictments whereupon they have been attainted, by them or any of them committed, perpetrated or done, as is aforesaid, or at any Time thence:

Penalties on certain Traitors who were not arraigned.

IV. And that the said *Robert Catfby*, *Thomas Percy*, *John Wright*, *Christopher Wright*, *Hugh Owen* and *Francis Tresbam*, shall forfeit and lose to your Majesty, your Heirs and Successors, all and every such their Manors, Messuages, Lands, Tenements, Rents, Reversions, Remainders, Possessions, Rights, Conditions, Interests, Offices, Fees, Annuities and all other their Hereditaments, Goods, Chattels, Debts and other Things, of whatsoever Names, Natures or Qualities they be, which they the said *Robert Catfby*, *Thomas Percy*, *John Wright*, *Christopher Wright*, *Hugh Owen* and *Francis Tresbam*, or any of them had, or any other Person or Persons to their or any of their Use or Uses had, the Days and Times of their said several Treasons, by them and every of them committed, perpetrated and done, as is aforesaid; that is to say, the said *Robert Catfby*, *Thomas Percy*, *John Wright* and *Christopher Wright*, the Twentieth Day of *May*, in the Second Year of your Majesty's Reign of *England*, *France* and *Ireland*, and of *Scotland* the Seven and thirtieth, or at any Time thence; the said *Hugh Owen* the Twentieth Day of *May* last past, or at any Time after; and the said *Francis Tresbam* the Fourteenth Day of *October* last, or any Time since: And that all and singular such Manors, Messuages, Lands, Tenements, Rents, Reversions, Remainders, Possessions, Rights, Conditions, Offices, Fees, Annuities and all other Hereditaments, Goods, Chattels, Debts and other the Premises of all and singular the said Offenders, as by the Laws and Statutes of this Realm, or by Force of this Act of Parliament are or shall be forfeited to your Majesty, shall be deemed, vested and judged to be in the actual and real Possession of your Majesty, without any Office or Inquisition thereof hereafter to be taken or found: Saving to all and every Person and Persons, Bodies Politick and Corporate, and to their Heirs, Successors and Assigns of every of them, other than the said Persons attainted, and other than the said Offenders before by this Act attainted, and their Heirs, and the Heirs of every of them, claiming any Thing in the said Manors, Messuages, Lands, Tenements and other the Premises, or any Part thereof, only as Heir or Heirs, and all and every other Person and Persons claiming, or having any Thing in the Premises, or any Part thereof, to their Use, or to the Use of any of them; all such Estate, Right, Title, Use, Possession, Interest, Reversion, Remainder, Entry, Condition, Fees, Offices,

Rents,

All the Lands and Goods of Traitors attainted, shall be in the actual Possession of the King.
General Saving.

Rents, Annuities, Leases, Commons, Action, Suit, Petition, Execution and all other Hereditaments, and all Actions and Means to recover or obtain the same whatsoever, which they or any of them had or ought to have in the Premises, or any Part thereof, at or before the said several Treasons by the said several Offenders respectively committed or done, in as large and ample Manner to all Intents and Purposes, as if this Act had never been had nor made; any Thing therein contained to the contrary thereof notwithstanding:

V. And also all such Estate, Right, Title, Use, Possession, Interest, Reversion, Remainder, Entry, Conditions, Fees, Offices, Rents, Annuities, Commons and all other Commodities and Hereditaments whatsoever, which they or any of them (except the Persons before excepted) now have, or at any Time hereafter shall or may have, only by virtue of any lawful Conveyance or Limitation made before the same several Treasons committed or done, for which the said Offenders have been attainted, or are by this Act attainted, in as large and ample Manner to all Intents and Purposes, as if this Act had never been had or made; this Act, or any Thing therein contained to the contrary thereof notwithstanding.

VI. Provided always, That this Act, or any Thing therein contained, shall not extend to give the King's Highness, his Heirs or Successors, any Benefit or Commodity of or to any Goods, Chattels or Debts that were any of the said Persons, at the Common Law or by this Act attainted, at the Time of the several Treasons by them done and committed, and by them or any of them lawfully and justly, without Fraud or Covin, given, granted, bargained, released or discharged before the Fifth Day of November last past, but that all and every such Person and Persons to whom any lawful Bargain, Gift, Grant, Release or Discharge hath been made, as is aforesaid, shall and may have, hold and enjoy the same, and be acquitted and discharged thereof, in such and like Manner and Form to all Intents and Purposes, as though this Act had never been had or made.

Goods of Traitors given, released or discharged before the Fifth of November last.

C A P. III.

An Act declaratory, explaining a Branch of an Act made in the First Session of this Parliament, intituled, *An Act authorising certain Commissioners of the Realm of England to treat with Commissioners of Scotland, for the Weal of both Kingdoms.* EXP.

1 Jac. I. c. 2.

C A P. IV.

An Act for the better discovering and repressing of Popish Recusants.

FORASMUCH as it is found by daily Experience that many of his Majesty's Subjects that adhere in their Hearts to the Popish Religion, by the Infection drawn from thence, and by the wicked and devilish Counsel of Jesuits, Seminaries and other like Persons dangerous to the Church and State, are so far perverted in the Point of their Loyalties and due Allegiance unto the King's Majesty and the Crown of England, as they are ready to entertain and execute any treasonable Conspiracies and Practices, as evidently appears by that more than barbarous and horrible

• horrible Attempt to have blown up with Gun-powder the
 • King, Queen, Prince, Lords and Commons in the House of
 • Parliament assembled, tending to the utter Subversion of the
 • whole State, lately undertaken by the Instigation of Jesuits
 • and Seminaries, and in Advancement of their Religion, by
 • their Scholars taught and instructed by them to that Purpose,
 • which Attempt by the only Goodness of Almighty God was
 • discovered and defeated; and where divers Persons popishly
 • affected, do nevertheless the better to cover and hide their false
 • Hearts, and with the more Safety to attend the Opportunity to
 • execute their mischievous Designs, repair sometimes to Church
 • to escape the Penalty of the Laws in that Behalf provided:’

Confirmed Re-
 cufant shall re-
 ceive the Sacra-
 ment.

II. For the better Discovery therefore of such Persons, and their evil Affections to the King’s Majesty and the State of this his Realm, to the End that being known, their evil Purposes may be the better prevented; Be it enacted by the King’s most Excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That every Popish Recufant convicted, or hereafter to be convicted, which heretofore hath conformed him or herself, or which shall hereafter conform him or herself, and repair to the Church, and continue there during the Time of Divine Service, according to the Laws and Statutes in that Behalf made and provided, shall, within the First Year next after the End of this Session of Parliament (if he or she be conformed as aforesaid, before the End of this Session of Parliament), or within the First Year next after that he or she shall after this Session of Parliament so conform him or herself, and repair to Church as aforesaid, and after the said First Year shall Once in every Year following at the least, receive the blessed Sacrament of the Lord’s Supper in the Church of that Parish where he or she shall most usually abide or be within the said Year, wherein by the true Meaning of this Statute he or she ought so to receive:

Not receiving
 the Sacrament.

III. And if there be no such Parish Church then in the Church next adjoining to the Place of his or her such most usual Abode; and if any Recufant so conformed shall not receive the said Sacrament of the Lord’s Supper accordingly, he or she shall, for such not receiving, lose and forfeit for the First Year Twenty Pounds, and for the Second Year for such not receiving Forty Pounds, and for every Year after for such not receiving Threescore Pounds, until he or she shall have received the said Sacrament as is aforesaid; and if after he or she shall have received the said Sacrament as is aforesaid, and after shall oftfoons at any Time offend in not receiving the said Sacrament as is aforesaid, by the Space of One whole Year, that in every such Case such Person so offending shall for every such Offence lose and forfeit Threescore Pounds of lawful *English* Money, the One Moiety to be to our Sovereign Lord the King’s Majesty, his Heirs and Successors, and the other Moiety to him that will sue for the same; and to be recovered in any of the King’s Courts of Record at *Westminster*, or before Justices of Assize or General Gaol Delivery, or before Justices of the Peace at their General Quarter Sessions, by Action of Debt, Bill, Plaint or Information, wherein no Effoin, Protection or Wager of Law shall be allowed.

Penalty.

Penalty.

IV. And be it further enacted by the Authority of this present Parliament, That the Churchwardens and Constables of every Town, Parish or Chapel for the Time being, or some one of them, or if there be none such, then the Chief Constables of the Hundred where such Town, Parish or Chapel is or shall be, or one of them as well in Places exempt as not exempt, shall Once in every Year present the monthly Absence from Church of all and all Manner of Popish Recusants within such Towns and Parishes; and shall present the Names of every of the Children of the said Recusants, being of the Age of Nine Years and upwards, abiding with their said Parents, and as near as they can the Age of every of the said Children, as also the Names of the Servants of such Recusants, at the General or Quarter-Sessions of that Shire, Limit, Division or Liberty.

Monthly Absence from Church of a Recusant, &c. to be presented.

V. And be it further enacted by the Authority aforesaid, That all such Presentments shall be accepted, entered and recorded in the said Sessions by the Clerk of the Peace or Town Clerk for the Time being, or his Deputy, without any Fee to be had, asked or taken for the same; and in Default of such Presentment to be made, the said Churchwardens, Constables or High Constables respectively, shall, for every such Default, forfeit Twenty Shillings, and in Default of such accepting, entering and recording without Fee as aforesaid, the said Clerk of the Peace or Town Clerk shall, for every such Offence, forfeit and lose Forty Shillings.

Presentment recorded.

Penalty.

Penalty.

VI. And that upon every Presentment of such monthly Absence as aforesaid, whereupon such Party so presented shall after happen to be indicted and convicted (not being for the same Absence before presented), then the said Churchwardens, Constables or High Constables respectively for making such Presentments, shall have a Reward of Forty Shillings, to be levied out of the Recusant's Goods and Estate in such Manner and Form as by the more Part of the said Justices shall be by Warrant under their Hands and Seals then and there ordered and appointed.

Reward of Churchwardens and Constables.

VII. And be it further enacted by the Authority aforesaid, That the Justices of Assize and Gaol Delivery at their Assizes, and the said Justices of Peace at any of their said Sessions, shall have Power and Authority by virtue of this Act to enquire, hear and determine of all Recusants and Offences, as well for not receiving the Sacrament aforesaid, according to the Meaning of this Law, as for not repairing to Church according to the Meaning of former Laws in such Manner and Form as the said Justices of Assize and Gaol Delivery do or may now do by former Laws, in the case of Recusancy for not repairing to Church; and also shall have Power at their said Assizes and Gaol Delivery, and at the Sessions (in which any Indictment against any Person, either for not repairing to Church according to former Laws, or not receiving the said Sacrament according to this Law, shall be taken) to make Proclamation, by which it shall be commanded, that the Body of every such Offender shall be rendered to the Sheriff of the same County, or Bailiff, or other Keeper of the Gaol of the Liberty before the next Assizes and General Gaol Delivery, or before the next General or Quarter-Sessions respectively to be holden for the said Shire, Limit, Division or Liberty; and if at the said next Assizes and General Gaol Delivery or Sessions, the same Offender so proclaimed shall not make Appearance of Record, that then upon

Who may enquire of Offenders.

Effect of Proclamation.

Conviction of Recusant.

upon every such Default recorded the same shall be as sufficient a Conviction in Law of the said Offence whereof the Party shall stand indicted as aforesaid, as if upon the same Indictment a Trial by Verdict thereupon had proceeded, and been found against him or her, and recorded.

Convicted Re-
cusant.

VIII. And be it further enacted, That every Offender in not repairing to Divine Service, but forbearing the same, contrary to the Statutes in that Behalf made and provided, that hereafter shall fortune to be thereof once convicted, shall in such of the Terms of *Easter* and *Michaelmas* as shall be next after such Conviction, pay into the Receipt of the Exchequer after the Rate of Twenty Pounds for every Month which shall be contained in the Indictment whereupon such Conviction shall be; and shall also for every Month after such Conviction, without any other Indictment or Conviction, forfeit Twenty Pounds, and pay into the Receipt of the Exchequer aforesaid, at Two Times in the Year, that is to say, in every *Easter* and *Michaelmas* Term, as much as then shall remain unpaid, after the Rate of Twenty Pounds for every Month after such Conviction, except in such Cases where the King shall and may by force of this Act refuse the same, and take Two Parts of the Lands, Tenements, Hereditaments, Leases and Farms of such Offender till the said Party being indicted for not coming to Church contrary to former Laws, shall conform himself and come to Church, according to the Meaning of the Statute in that Behalf made and provided.

Penalty.

Penalty.

Penalty.

Conviction to be
certified into
Exchequer.

IX. And that every Conviction recorded for any Offence before mentioned, shall from the Justices before whom the Record of such Conviction shall be remaining, be certified into the King's Majesty's Court of Exchequer before the End of the Term following such Conviction, in such convenient Certainty for the Time and other Circumstances, as the Court of Exchequer may thereupon award out Process for the Seizure of the Lands and Goods of every such Offender as the Case shall require, and if Default shall be made in any Part of any Payment aforesaid, contrary to the Form hereinbefore limited, that then and so often the King's Majesty, his Heirs and Successors, shall and may by Process out of the said Exchequer take, seize and enjoy all the Goods, and Two Parts as well of all the Lands, Tenements and Hereditaments, Leases and Farms of such Offender, as of all other the Lands, Tenements and Hereditaments liable to such Seizure, or to the Penalties aforesaid, by the true Meaning of this Act, leaving the Third Part only of the same Lands, Tenements and Hereditaments, Leases and Farms, to and for the Maintenance and Relief of the said Offender, his Wife, Children and Family.

23 Eliz. c. 1. § 5.

X. And, whereas by an Act made in the Session of Parliament holden by Prorogation at *Westminster* in the Three and twentieth Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act to retain the Subjects of the said late Queen in their due Obedience*, It was, amongst other Things, enacted by Authority of the said Parliament, That every Person above the Age of Sixteen Years, which should not repair to some Church, Chapel or usual Place of Common Prayer, but forbear the same contrary to the Tenor of a Statute made in the First Year of the Reign of the said late Queen, for Uniformity of Common Prayer, and being thereof lawfully convicted, should forfeit to the said Queen

1 Eliz. c. 2.

Queen for every Month after the End of the said Session of Parliament which he or she should so forbear, Twenty Pounds of lawful *English* Money, as in and by the said Act of Parliament more at large appeareth :

XI. And whereas afterward by another Act of Parliament of the said Queen, it was further enacted by the Authority of the said Parliament (amongst other Things) how and when the said Payments of the said Twenty Pounds should be made, and that if Default should be made in any Part of any Payment of the said Twenty Pounds, contrary to the Form in the said last specified Statute limited, that then and so often the said Queen should and might by Process out of her Highness' Exchequer take, seize and enjoy all the Goods, and Two Parts as well of all the Lands, Tenements and Hereditaments, Leases and Farms of such Offender, as of all other the Lands, Tenements and Hereditaments liable to such Seizure, or to the Penalties aforesaid, by the true Meaning of the said Act of Parliament, leaving the Third Part only of the same Lands, Tenements and Hereditaments, Leases and Farms, to and for the Maintenance and Relief of the same Offender, his Wife, Children and Family; as in and by the last specified Statute more at large also may appear : Now forasmuch as the said Penalty of Twenty Pounds monthly is a greater Burden unto Men of small Living than unto such as are of better Ability, and do refuse to come unto Divine Service as aforesaid, who rather than they will have Two Parts of their Lands to be seized, will be ready always to pay the said Twenty Pounds according to the Limitation of the said Statutes, and yet retain the Residue of their Livings and Inheritance in their own Hands, being of great yearly Value, which they do for the most Part employ (as Experience hath taught) to the Maintenance of Superstition and Popish Religion, and to the Relief of Jesuits, Seminaries, Popish Priests and other dangerous Persons to the State; therefore to the Intent that hereafter the Penalty for not repairing to Divine Service might be inflicted in better Proportion upon Men of great Ability; Be it enacted by the Authority of this present Parliament, That the King's Majesty, his Heirs and Successors, shall, from and after the Feast of *Saint Michael* the Archangel next coming, after the End of this Session of Parliament, have full Power and Liberty to refuse the Penalty of Twenty Pounds a Month, though it be tendered ready to be paid according to the Law, and thereupon to seize and take to his own Use, and the Uses, Intents and Purposes hereafter limited, Two Parts in Three Parts to be divided, as well of all the Lands, Tenements and Hereditaments, Leases and Farms that at the Time of such Seizure shall be, or afterward shall come to any the said Offenders in not coming to Church, or any other to his or her Use, or in Trust for him or her, or at his or her Disposition, or whereby or wherewith, or in Consideration whereof, such Offender or his Family, or any of them, shall be relieved, maintained or kept, as of all other Lands, Tenements and Hereditaments in any wife or at any Time liable to such Seizure, or to the Penalties aforesaid, and the same to retain to his own and other Uses, Intents and Purposes hereafter in this Act appointed, till every such Offender shall conform him or herself respectively as aforesaid, in lieu and full Recompence of the Twenty Pounds monthly, that during

29 Eliz. c. 6. § 3.

§ 4.

The King may
refuse Penalty
and take Two
Parts of Recu-
sant's Lands.

General Saving.

his such Seizure and Retainer, shall incur ; any Thing in the said Statutes, or any of them, or any other Statute to the contrary in any wise notwithstanding : Saving to our Sovereign Lord the King's Majesty, his Heirs and Successors, and all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, (other than the said Offender, his or her Heirs, and all claiming to his or their Use, or in Trust for him or them, or at his or their Will or Disposition), all and all manner of Leases, Rents, Conditions and other Rights and Titles whatsoever had, made and done, *bona fide*, and without Fraud and Covin, before such Seizure.

Mansion House.
The King's Two
Parts not to
be demised to
Recusant.

XII. Provided always, and be it enacted by the Authority aforesaid, That the King's Majesty, his Heirs and Successors, shall not take into his Two Parts, but leave to such Offender his Chief Mansion House as Part of his Third Part, and shall not demise, lease nor put over the said Two Parts, nor any Part thereof, to any Recusant, nor to or for the Use of any Recusant ; and that whosoever shall take the same in Lease, or otherwise, of his Majesty, his Heirs and Successors, shall give such Security not to commit, nor suffer Waste to be committed in or upon any the said Premises, as by the Court of Exchequer shall be allowed sufficient.

Who compellable
to take Oath.

XIII. And for the better Trial how his Majesty's Subjects stand affected in Point of their Loyalty and due Obedience ; be it also enacted by the Authority aforesaid, That from and after the End of this present Session of Parliament, it shall be lawful to and for any Bishop in his Diocese, or any Two Justices of Peace, whereof One of them to be of the *Quorum*, within the Limits of their Jurisdiction, out of the Sessions, to require any Person of the Age of Eighteen Years or above, being or which shall be convicted or indicted of or for any Recusancy, other than Noblemen or Noblewomen, for not repairing to Divine Service according to the Laws of this Realm, or which shall not have received the said Sacrament twice within the Year then next past, Noblemen and Noblewomen excepted ; or any Person passing in or through the Country, Shire or Liberty, and unknown, except as is last before excepted, that being examined by them upon Oath shall confess or not deny himself or herself to be a Recusant, or shall confess or not deny that he or she had not received the said Sacrament twice within the Year then last past, to take the Oath hereafter following upon the Holy Evangelists : Which said Bishop or Two Justices of the Peace shall certify in Writing subscribed with his or their Hands at the next General or Quarter-Sessions for that Shire, Limit, Division or Liberty, within which the said Oath shall be so taken, the Christian Name, Surname and Place of Abode of every Person which shall so take the said Oath ; which Certificate shall be there recorded by the Clerk of the Peace or Town Clerk, and kept amongst the Records of the said Sessions.

Certificate of
Persons taking
Oath.

Refusal of Oath.

XIV. And be it further enacted, That if any such Person or Persons, other than Noblemen or Noblewomen, shall refuse to answer upon Oath to such Bishop or Justices of Peace examining him or her, as aforesaid, or to take the said Oath so duly tendered unto him or her by such Bishop, or Two such Justices of Peace, out of Sessions, that then the said Bishop or Justices of Peace shall and may commit the same Person to the Common Gaol, there to

remain without Bail or Mainprize until the next Assize or General or Quarter-Sessions to be holden for the said Shire, Division, Limit or Liberty, where the said Oath shall be again in the said open Assizes or Sessions required of such Person, by the said Justices of Assize or Justices of Peace then and there present, or the greater Number of them; and if the said Person or Persons, or any other Person whatsoever, other than Noblemen or Noblewomen, of the Age of Eighteen Years or above, shall refuse to take the said Oath, being tendered unto him or her by the Justices of Assize and Gaol-delivery in their open Assizes, or the Justices of Peace, or the greater Part of them, in their said General or Quarter-Sessions, every Person so refusing shall incur the Danger and Penalty of *Premunire*, mentioned in the Statute of *Premunire*, made in the Sixteenth Year of the Reign of King *Richard* the Second, except Women Covert, who, upon Refusal of the said Oath, shall be by the said Justices of Assize in their open Assize, or Justices of Peace in their General or Quarter-Sessions, for the said Offence committed only to the Common Gaol, there to remain without Bail or Mainprize, till they will take the said Oath.

16 R. 2. c. 5.

Women Covert

The Tenor of which Oath (a) hereafter followeth :

XV. **I** *A. B.* do truly and sincerely acknowledge, profess, testify and declare in my Conscience before God and the World, That our Sovereign Lord King *JAMES* is lawful and rightful King of this Realm, and of all other his Majesty's Dominions and Countries; and that the Pope, neither of himself, nor by any Authority of the Church or See of *Rome*, or by any other Means, with any other, hath any Power or Authority to depose the King, or to dispose any of his Majesty's Kingdoms or Dominions, or to authorize any Foreign Prince to invade or annoy him or his Countries, or to discharge any of his Subjects of their Allegiance and Obedience to his Majesty, or to give Licence or Leave to any of them to bear Arms, raise Tumults, or to offer any Violence or Hurt to his Majesty's Royal Person, State or Government, or to any of his Majesty's Subjects, within his Majesty's Dominions.

Form of Oath.

Also I do swear from my Heart, That notwithstanding any Declaration or Sentence of Excommunication or Deprivation made or granted, or to be made or granted, by the Pope or his Successors, or by any Authority derived or pretended to be derived from him or his See against the said King, his Heirs or Successors, or any Absolution of the said Subjects from their Obedience, I will bear Faith and true Allegiance to his Majesty, his Heirs and Successors, and him and them will defend to the uttermost of my Power, against all Conspiracies and Attempts whatsoever which shall be made against his or their Persons, their Crown and Dignity, by Reason or Colour of any such Sentence or Declaration, or otherwise, and will do my best Endeavour to disclose and make known unto his Majesty, his Heirs and Successors, all Treasons and traitorous Conspiracies which I shall know or hear of to be against him or any of them.

(a) [*Repealed, 1 W. & M. Sess. 1. c. 8. § 2.*]

T t 2

• And

‘ And I do further swear, That I do from my Heart abhor, detest and abjure, as impious and heretical, this damnable Doctrine and Position, That Princes which be excommunicated or deprived by the Pope may be deposed or murdered by their Subjects, or any other whatsoever.

‘ And I do believe, and in my Conscience am resolved, That neither the Pope, nor any other Person whatsoever, hath Power to absolve me of this Oath or any Part thereof, which I acknowledge by good and full Authority to be lawfully ministred unto me, and do renounce all Pardons and Dispensations to the contrary.

‘ And all these Things I do plainly and sincerely acknowledge and swear, according to these express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation or mental Evasion, or secret Reservation whatsoever: And I do make this Recognition and Acknowledgment heartily, willingly and truly, upon the true Faith of a Christian. ‘ So help me God.’

Unto which Oath so taken the said Person shall subscribe his or her Name or Mark.

Indictment of
Resistant not
reversed for De-
fault of Form.

XVI. And be it further enacted by the Authority aforesaid, That no Indictment or Indictments had or found, or hereafter to be had or found, against any Person or Persons, for not repairing to some Church or Chapel, or usual Place of Common Prayer, but absenting him or herself by the Space of One Month, contrary to the Laws and Statutes in that Behalf provided, or for not receiving the said Sacrament contrary to this present Law, nor any Proclamation, Outlawry or other Proceeding thereupon, shall at any Time hereafter be avoided, discharged or reversed, by reason of any Default in Form, or lack of Form, or other Defect whatsoever (other than by direct Traverse to the Point of not coming to Church, or not receiving the said Sacrament, whereof such Person or Persons hath been or shall be indicted), but the same Indictment shall stand in force and be proceeded upon; any such Default of Form, or other Defect whatsoever notwithstanding.

Conforming,
may traverse
Indictment.

XVII. Provided always, That if any Person or Persons so indicted or to be indicted, shall at any Time hereafter submit and conform him or herself, and become obedient to the Laws of the Church of *England*, and repair to the Parish Church of his or her most abiding, and if there be no such, then to the Church next adjoining to his or her such Dwelling, and there hear Divine Service according to the true Meaning of the Statute in that Behalf made and provided, and there publicly receive the said Sacrament according to the Laws of this Realm of *England* now established; that then every such Person and Persons so indicted shall and may from thenceforth be admitted and allowed to avoid, discharge, reverse and undo the said Indictment and Indictments, and all Proceedings thereupon, in such Manner and Form as if this present Act had not been had nor made; any Thing herein contained to the contrary in any wise notwithstanding.

Persons going out
of the Realm to
serve a foreign
Prince, to take
Oath.

XVIII. And forasmuch as it is found by late Experience, that such as go voluntarily out of this Realm of *England* to serve Foreign Princes, States or Potentates, are for the most part per-
verted

‘verted in their Religion and Loyalty by Jesuits and Fugitives, with whom they do there converse;’ Be it therefore enacted by the Authority aforesaid, That every Subject of this Realm that, after the Tenth Day of *June* next coming, shall go or pass out of this Realm to serve any Foreign Prince, State or Potentate, or shall after the said Tenth Day of *June* pass over the Seas, and there shall voluntarily serve any such Foreign Prince, State or Potentate, not having before his or their going or passing as aforesaid, taken the Oath aforesaid, before the Officer hereafter appointed, shall be a Felon.

XIX. And that if any Gentleman or Person of higher Degree, or any Person or Persons which hath born or shall bear any Office or Place of Captain, Lieutenant or any other Place, Charge or Office in Camp, Army or Company of Soldiers, or Conductor of Soldiers, shall after go or pass voluntarily out of this Realm, to serve any such Foreign Prince, State or Potentate, or shall voluntarily serve any such Prince, State or Potentate, before that he and they shall become bound by Obligation, with Two such Sureties as shall be allowed of by the Officers which are hereafter by this Act limited to take the same Bond, unto our Sovereign Lord the King’s Majesty, his Heirs or Successors, in the Sum of Twenty Pounds of current *English* Money at the least, with Condition to the Effect following, shall be a Felon.

What Persons serving a foreign Prince shall be bound to the King, &c.

The Tenor of which Condition followeth, *viz.*

‘XX. THAT if the within bounden, &c. shall not at any Time then after be reconciled to the Pope or See of *Rome*, nor shall enter into or consent unto any Practice, Plot or Conspiracy whatsoever against the King’s Majesty, his Heirs and Successors, or any his and their Estate and Estates, Realms or Dominions; but shall within convenient Time after Knowledge thereof had, reveal and disclose to the King’s Majesty, his Heirs and Successors, or some of the Lords of his or their Honourable Privy Council, all such Practices, Plots and Conspiracies; that then the said Obligation to be void.’

XXI. And that for the due Execution of this Branch of this present Law, it shall and may be lawful to and for the Customer and Comptroller of every Port, Haven or Creek, or one of them, and their or either of their Deputy or Deputies, and none other, to receive and accept all and every such Bond and Obligation to and for the Uses aforesaid, and to minister and give the Oath aforesaid, according to the true Intent of this Statute, (taking for such Bond Six pence and no more, and for the said Oath no Fee at all): Which said Customer and Comptroller shall register and certify all and every such Bond and Oath so taken, into the Court of Exchequer at *Westminster* once every Year, upon Pain of Five Pounds for every Bond not so certified, and Twenty Shillings for every Oath not so certified. Provided always, That this last mentioned Branch shall not extend to any Person or Persons which are already gone or shall go beyond the Seas to serve any Foreign Prince, State or Potentate, before the Tenth Day of *June* next coming, for his said going or passing before the said Tenth Day of *June*.

Who may take Obligation, and administer Oath.

Not registering and certifying.

Penalty.

Abſolving or
withdrawing any
from Obedience,
&c.

XXII. And further be it enacted by the Authority aforeſaid, That if any Perſon or Perſons at any Time after the ſaid Tenth Day of *June* ſhall, either upon the Seas or beyond the Seas, or in any other Place within the Dominions of the King's Maſteſty, his Heirs or Succeſſors, put in Practice to abſolve, perſuade or withdraw any of the Subjects of the King's Maſteſty, or of his Heirs and Succeſſors of this Realm of *England*, from their natural Obedience to his Maſteſty, his Heirs or Succeſſors, or to reconcile them to the Pope or See of *Rome*, or to move them or any of them to promiſe Obedience to any pretended Authority of the See of *Rome*, or to any other Prince, State or Potentate; that then every ſuch Perſon, their Procurers, Counſellors, Aiders and Maintainers, knowing the ſame, ſhall be to all Intents adjudged Traitors, and being thereof lawfully convicted ſhall have Judgment, ſuffer and forfeit, as in Caſes of High Treason.

High Treason.

Being withdrawn
or reconciled.

XXIII. And if any Perſon as aforeſaid, at any Time after the ſaid Tenth Day of *June* ſhall be either upon the Seas or beyond the Seas, or in any other Place within the Dominions of the King's Maſteſty, his Heirs or Succeſſors, willingly abſolved or withdrawn as aforeſaid, or willingly reconciled, or ſhall promiſe Obedience to any ſuch pretended Authority, Prince, State or Potentate as aforeſaid, that every ſuch Perſon or Perſons, their Procurers and Counſellors, Aiders and Maintainers, knowing the ſame, ſhall be to all Intents adjudged Traitors, and being thereof lawfully convicted ſhall have Judgment, ſuffer and forfeit, as in Caſes of High Treason.

High Treason.

Proviſo for re-
conciled Perſon
taking the Oath.

XXIV. Provided nevertheless, That the laſt mentioned Clause of this Branch, or any Thing therein contained, ſhall not extend or be taken to extend to any Perſon or Perſons whatſoever, which ſhall hereafter be reconciled to the Pope or See of *Rome* as aforeſaid, (for and touching the Point of ſo being reconciled only), that ſhall return into this Realm, and thereupon within Six Days next after ſuch Return, before the Biſhop of the Dioceſe, or Two Juſtices of the Peace jointly or ſeverally of the County where he ſhall arrive, ſubmit himſelf to his Maſteſty and his Laws, and take the Oath ſet forth by Act in the Firſt Year of the Reign of the late Queen *Elizabeth* (commonly called the Oath of Supremacy), as alſo the Oath before ſet down in this preſent Act; which ſaid Oaths the ſaid Biſhop and Juſtices reſpectively ſhall have Power and Authority by this preſent Act to miniſter to ſuch Perſons as aforeſaid; and the ſaid Oaths ſo taken, the ſaid Biſhop and Juſtices before whom ſuch Oaths ſhall be ſo taken reſpectively, ſhall certify at the next General or Quarter-Sessions of the Peace to be holden within the ſaid Shire, Limit, Division or Liberty, wherein ſuch Perſon as aforeſaid ſhall ſubmit himſelf, and take the ſaid Oaths as aforeſaid, upon Pain of every one neglecting to certify the ſame as aforeſaid, the Sum of Forty Pounds, [*The Oath of 1 Eliz. c. 1. together with the Oath of this Act, repealed, 1 W. & M. Seſſ. 1. c. 8. § 2.*]

Certificate.

Penalty.

Where Trial
ſhall be.

XXV. And be it further enacted, That all and every Perſon and Perſons that ſhall offend contrary to this preſent Branch of this Statute, ſhall be indicted, tried and proceeded againſt by and before the Juſtices of Aſſize and Gaol-delivery of that County for the Time being, or before the Juſtices of the Court of King's Bench, and be there proceeded againſt, according to the Laws and Statutes

Statutes of this Realm against Traitors, as if the said Offence had been committed in the same County where such Person or Persons shall be so taken; any Law, Custom or Statute to the contrary in any wise notwithstanding.

XXVI. Provided always, That if any Peer of this Realm shall happen to be indicted of any Offence made Treason by this Act, he shall have his Trial by his Peers, as in other like Cases of Treason is accustomed. Peers.

XXVII. And be it further enacted, That if any Subject of this Realm, at any Time after One Month next after the End of this present Session of Parliament, shall not resort or repair every Sunday to some Church, Chapel or some other usual Place appointed for Common Prayer, and there hear Divine Service according to the Statute made in that Behalf, in the First Year of the Reign of the late Queen *Elizabeth*, that then it shall and may be lawful to and for any one Justice of Peace of that Limit, Division or Liberty, wherein the said Party shall dwell, upon Proof unto him made of such Default, by Confession of the Party or Oath of Witnesses, to call the said Party before him; and if he or she shall not make a sufficient Excuse and due Proof thereof, to the Satisfaction of the said Justice of Peace, that it shall be lawful for the said Justice of Peace to give Warrant to the Churchwarden of the said Parish wherein the said Party shall dwell, under his Hand and Seal, to levy Twelve pence for every such Default, by Distress and Sale of the Goods of every such Offender, rendering to the said Offender the Overplus of the Money raised of the said Goods so to be sold: And that in Default of such Distress, it shall and may be lawful for the said Justice of Peace to commit every such Offender to some Prison within the said Shire, Division, Limit or Liberty wherein such Offender shall be inhabiting, until Payment be made of the said Sum or Sums so to be forfeited; which Forfeiture shall be employed to and for the Use of the Poor of that Parish wherein the Offender shall be resident or abiding at the Time of such Offence committed. Not repairing to Church, weekly.
Eliz. c. 2.
Penalty.

XXVIII. Provided, That no Man be impeached upon this Clause, except he be called in question for his said Default within One Month next after the said Default made. Limitation of Prosecutions.

XXIX. And that no Man being punished according to this Branch, shall for the same Offence be punished by the Forfeiture of Twelve pence, upon the Law made in the First Year of the late Queen *Elizabeth*. One Punishment for one Offence.

XXX. And because in One Act of Parliament begun and holden at *Westminster* in the Five and thirtieth Year of the late Queen *Elizabeth*, intituled, *An Act to retain the Queen's Majesty's Subjects in their due Obedience*, there are Two Branches contained, the First beginning thus: (And for that every Person having a House or Family is in Duty bounden to have especial Regard of the good Government and ordering of the same), and so forth to the next Clause, beginning thus, (Provided nevertheless, That this Act shall not in any wise extend to punish or impeach any Persons for relieving, &c. ending with these Words, Any Thing in this Act contained to the contrary notwithstanding), which said Two Branches or Clauses are found defective: 35 Eliz. c. 1. § 2.
§ 9.

XXXI. Be it therefore enacted, That the said Two Branches or Clauses of the said Act, and no more, shall be by Authority of this present Parliament utterly repealed and made void. repealed.

Relieving, &c.
Recusant.

XXXII. And in lieu thereof be it enacted, That every Person and Persons, which after One Month next after the End of this present Session of Parliament shall willingly maintain, retain, relieve, keep or harbour in his or their House, any Servant, Sojourner or Stranger, who shall not go to, or repair to some Church or Chapel, or usual Place of Common Prayer, to hear Divine Service, but shall forbear the same by the Space of One Month together, not having a reasonable Excuse, contrary to the Laws and Statutes of this Realm, shall forfeit Ten Pounds for every Month that he, she or they shall so relieve, maintain, retain, keep or harbour any such Servant, Sojourner or Stranger in his or their House, so forbearing as aforesaid.

Penalty.

Retaining Recusant in Service, &c.

XXXIII. And that every Person which shall within the Time aforesaid retain or keep in his, her or their Service, Fee or Livery, any Person or Persons, which shall not go to or repair to some Church, Chapel or usual Place of Common Prayer to hear Divine Service, but shall forbear the same by the Space of One Month together, shall forfeit for every Month he, she or they shall so retain, keep or continue in his, her or their Service, Fee or Livery, any such Person or Persons so forbearing as aforesaid, knowing the same, Ten Pounds; the same Penalties to be recovered and employed in Manner and Form hereafter following.

Penalty.

Proviso for relieving certain Persons.

XXXIV. Provided nevertheless, That this Act shall not in any wise extend to punish or impeach any Person or Persons for maintaining, retaining, relieving, keeping or harbouring his, her or their Father or Mother, wanting, without Fraud or Covin, other Habitation, or sufficient Maintenance, or the Ward of any such Person, or any Person that shall be committed by Authority to the Custody of any by whom they shall be so relieved, maintained or kept; any Thing in this Act contained to the contrary notwithstanding.

Breaking House to take a Recusant excommunicate.

XXXV. And be it further enacted by Authority of this present Parliament, That upon any lawful Writ, Warrant or Process awarded to any Sheriff or other Officer, for the taking or apprehending of any Popish Recusant standing excommunicated for such Recusancy, it shall be lawful for such Sheriff or other Officer authorized in that Behalf, if need be, to break open any House wherein such Person excommunicate shall be, or to raise the Power of the County, for the apprehending of such Person, and the better Execution of such Warrant, Writ or Process.

Where Offences determined.

XXXVI. And be it further enacted, That all and every Offence to be committed or done against this present Act shall and may be enquired of, heard and determined before the Justices of the King's Bench, Justices of Assize and Gaol-delivery, in their several Assizes and Gaol-deliveries; and all Offences other than Treason shall be enquired, heard and determined before the Justices of Peace in their General or Quarter-Sessions to be holden within the Shire, Division, Limit or Liberty wherein such Offence shall happen.

Dower.

XXXVII. Provided always, and be it enacted by the Authority aforesaid, That any Attainder of Felony made Felony by this Act as is aforesaid, shall not in any wise extend to take away the Dower of the Wife of any such Person attained, or be any Bar for the Recovery of the same; nor shall make or work any Corruption of Blood, or Disheirison of any the Heir or Heirs of any such Person or Persons so attained; this Act, or any Thing therein contained to the contrary in any wise notwithstanding.

Corruption of Blood.

XXXVIII. And

XXXVIII. And be it further enacted, That if any Action or Actions shall at any Time hereafter be commenced or brought against any Person or Persons doing, committing or commanding any Act or Thing, for or concerning the Execution of this present Statute, or any Article or Clause therein contained, that then every Defendant in such Action or Actions may plead the General Issue, and be received to maintain the same by any Evidence that shall prove his Doings and Proceedings warrantable by this Law.

General Issue.

XXXIX. Provided always, That neither this Act, nor any Thing therein contained, shall extend to take away or abridge the Authority or Jurisdiction of the Ecclesiastical Censures, for any Cause or Matter, but that the Commissioners of his Majesty, his Heirs and Successors, in Causes Ecclesiastical, for the Time being, and the Archbishops, Bishops and other Ecclesiastical Judges, may do and proceed, as before the making of this Act they lawfully did or might have done; any Thing in this Act to the contrary in any wise notwithstanding.

Proviso for Ecclesiastical Court.

XL. Provided always, and be it enacted, That no Person shall be charged or chargeable with any Penalty or Forfeiture by force of this Act, which shall happen for his Wife's Offence in not receiving the said Sacrament during her Marriage; nor that any Woman shall be charged or chargeable with any Penalty or Forfeiture by force of this Act, for any such Offence of not receiving, which shall happen during her Marriage.

Proviso for Husbands.

XLI. Provided also, and be it enacted by Authority of this present Parliament, That in all Causes where any Bishop or Justices of the Peace may by force of this Act require and take of any Subject the Oath above mentioned, that the Lords of the Privy Council for the time being, or any Six of them, whereof the Lord Chancellor, Lord Treasurer or the Principal Secretary for the time, to be One, shall have full Power and Authority, by force of this Act, at any time or times, to require and take the said Oaths before mentioned, of any Nobleman or Noblewoman (then being above the Age of Eighteen Years); and if any such Nobleman or Noblewoman (other than Women married) shall refuse to take such Oath or Oaths, that in every such Case, such Nobleman or Noblewoman shall incur the Pain and Danger of a *Premunire*.

Who may take the Oath of a Noble Man or Woman.

16 R. 2. c. 5.

XLII. Provided also, and be it enacted by the Authority of this Parliament, That where any Person or Persons shall go or pass out of the Cinque Ports, or any Member thereof, to any Parts beyond the Seas, to serve any foreign Prince, State or Potentate, that in every such Case, the Lord Warden of the Cinque Ports for the Time being, or any Person by him in that Behalf appointed or to be appointed, shall have full Power and Authority by virtue hereof, to take the Bond, and minister the Oath to such Passengers as is above mentioned.

Who shall take the Oath in the Cinque Ports,

[See 1. W. & M. Seff. 1. c. 18. § 2. 31 G. 3. c. 32. § 3.]

C A P. V.

An Act to prevent and avoid Dangers which may grow by Popish Recusants.

WHEREAS divers Jesuits, Seminaries and Popish Priests, daily do withdraw many of his Majesty's Subjects from the true Service of Almighty God, and the Religion established within

‘ within this Realm, to the *Romish* Religion, and from their loyal
 ‘ Obedience to his Majesty, and have of late secretly persuaded
 ‘ divers Recusants and Papists, and encouraged and emboldened
 ‘ them to commit most damnable Treasons, tending to the Over-
 ‘ throw of God’s true Religion, the Destruction of his Majesty and
 ‘ his Royal Issue, and the Overthrow of the whole State and Com-
 ‘ monwealth, if God of his Goodness and Mercy had not within
 ‘ few Hours before the intended Time of the Execution thereof,
 ‘ revealed and disclosed the same:’ Wherefore to discover and
 prevent such secret damnable Conspiracies and Treasons as here-
 after may be put in ure by such evil disposed Persons, if Remedy
 be not therefore provided; Be it enacted by the King’s most Ex-
 cellent Majesty, the Lords Spiritual and Temporal, and the Com-
 mons, in this present Parliament assembled, and by the Authority
 of the same, That such Person as shall first discover to any Justice
 of Peace any Recusant or other Person which shall entertain or
 relieve any Jesuit, Seminary or Popish Priest, or shall discover any
 Mass to have been said, and the Persons that were present at such
 Mass, and the Priest that said the same, or any of them, within
 Three Days next after the Offence committed, and that by reason
 of such Discovery any of the said Offenders be taken and convicted
 or attainted, that then the Person which hath made such Discovery
 shall not only be freed from the Danger and Penalty of any Law
 for such Offence, if he be an Offender therein, but also shall have
 the Third Part of the Forfeiture of all such Sums of Money,
 Goods, Chattels and Debts, which shall be forfeited by such
 Offence, (so as the same total Forfeiture exceed not the Sum of
 One hundred and fifty Pounds; and if it exceed the Sum of One
 hundred and fifty Pounds, the said Person so discovering the said
 Offence shall have the Sum of Fifty Pounds only for every such
 Discovery); and such Person so discovering the same, after Con-
 viction of the Offender, shall have a Certificate from the Judges
 or Justices of Peace before whom such Conviction shall happen,
 to be directed to the Sheriff or other Officer of the same County,
 Linnit or Place, that shall seize the Goods, or levy the said For-
 feiture, commanding the said Sheriff or other Officer to pay the
 same accordingly to him that so discovered the same, out of the
 Monies to be levied by virtue of the said Forfeitures, which
 Warrant and Payment shall be effectual in the Law for that Pur-
 pose, and a sufficient Discharge in that Behalf for the Sheriff, or
 other Officer upon his Account.

‘ II. And whereas the Repair of such evil affected Persons to
 ‘ the Court, or to the City of *London*, may be very dangerous to
 ‘ his Majesty’s Person, and may give them more Liberty to meet,
 ‘ consult and plot their Treasons and Practices against the State,
 ‘ than if they should be restrained and confined unto their private
 ‘ Houses in the Country:’ For Remedy hereof, Be it enacted by
 the Authority aforesaid, That no Popish Recusant convicted or
 to be convicted shall come into the Court or House where the
 King’s Majesty, or his Heir Apparent to the Crown of *England*,
 shall be, unless he be commanded so to do by the King’s Majesty,
 his Heirs and Successors, or by Warrant in Writing from the
 Lords and others of the most honourable Privy Council, of the
 King’s Majesty, his Heirs and Successors, or any of them; upon
 Pain to forfeit for every Time so offending, One hundred Pounds;
 the

Discovering a
Priest or Mass.

Reward.

Recusant coming
to the Court.

Penalty.

the one Moiety to the King's Majesty, his Heirs and Successors; the other Moiety to him that will discover and sue for the same, by Action of Debt, Bill, Plaint or Information in any of his Majesty's Courts of Record, wherein no Effoin, Protection or Wager of Law shall be allowed.

III. And that all Popish Recusants indicted or convicted, and all other Persons which have not repaired to some usual Church or Chapel, and there heard Divine Service, but have forborn the same by the Space of Three Months last past, contrary to the Laws and Statutes of this Realm, dwelling, abiding or remaining within the City of *London*, or the Liberties thereof, or within Ten Miles of the said City, shall, within Three Months next after the End of this Session of Parliament, depart from the said City of *London*, and Ten Miles Compass of the same; and also shall deliver up their Names to the Lord Mayor of *London*, in case such Recusant do dwell or remain within the said City of *London*, or the Liberties thereof; and in case the said Recusant shall dwell or remain in any other County within Ten Miles of the same City, then the said Recusant shall deliver up his or her Name to the next Justice of Peace within such County where the said Recusant shall so dwell or remain, within Forty Days after the End of this Session of Parliament; upon Pain that every Person offending herein shall forfeit to our Sovereign Lord the King's Majesty, his Heirs and Successors, the Sum of One hundred Pounds, the one Moiety whereof shall be to the King's Majesty, his Heirs and Successors, the other Moiety to him or them that will sue for the same, by Action of Debt, Bill, Plaint or Information, in any of the King's Majesty's Courts of Record, wherein no Effoin, Protection or Wager of Law shall be admitted or allowed.

Recusants to depart from *London*.

Penalty.

IV. And that all Popish Recusants which shall hereafter come, dwell or remain within the said City of *London*, or the Liberties thereof, or within Ten Miles of the said City, which now are or hereafter shall be indicted or convicted of such Recusancy, or which shall at any Time hereafter not repair unto some usual Church or Chapel, and there hear Divine Service, but shall forbear the same by the Space of Three Months, contrary to the Laws and Statutes of this Realm, shall, within Ten Days after such Indictment or Conviction, depart from the said City of *London*, and Ten Miles Compass of the same, and also shall deliver up their Names to the Lord Mayor of *London* for the Time being, in case such Recusant shall dwell or remain within the said City of *London* or the Liberties thereof; and in case the said Recusant shall dwell or remain in any other County within Ten Miles of the said City, then the said Recusant shall deliver up his or her Name to the next Justice of Peace within such County where the said Recusant shall so dwell or remain, within the said Ten Days next after such Indictment or Conviction; upon Pain that every Person offending herein shall likewise forfeit to our said Sovereign Lord the King's Majesty, his Heirs and Successors, the like Sum of One hundred Pounds, the one Moiety whereof shall be to the King's Majesty, his Heirs and Successors, and the other to him or them that will sue for the same by Action of Debt, Bill, Plaint or Information, in any of the King's Majesty's Courts of Record, wherein no Effoin, Protection or Wager of Law shall be admitted or allowed.

Recusants remaining in *London*, &c.

Penalty.

V. Provided

Proviso for
Tradesmen, &c.
in London.

V. Provided always, That such Person or Persons as now use any Trade, Mystery or manual Occupation within the said City of London, or within Ten Miles of the same, and such as have or shall have their only Dwelling within the said City, or Ten Miles Compass of the same, not having any other Dwelling or Place of Abode elsewhere, shall or may remain and continue in such Place within the said City, or Ten Miles of the same, as they have dwelled, inhabited or remained in by the Space of Three Months next before this present Session of Parliament; any Thing herein contained to the contrary notwithstanding.

35 Eliz. c. 2.

§ 4.

‘ VI. And whereas by a Statute made at *Westminster* in the Five and thirtieth Year of the Reign of Queen *Elizabeth*, intituled, ‘ *An Act for the restraining of Popish Recusants to some certain Place of Abode*, it was, amongst other Things, ordained and enacted, ‘ That every Popish Recusant then or after convicted for not repairing to Church, Chapel or usual Place of Common Prayer, ‘ having any certain Place of Dwelling and Abode within this ‘ Realm, should, within the Time limited by the said Statute, repair ‘ to their Place of usual Dwelling and Abode, or not having any ‘ certain Place of Dwelling or Abode within this Realm, should ‘ likewise within the Time limited by the said Statute repair to the ‘ Place where such Person was born, or where the Father or Mother of such Person should be dwelling, and not at any Time ‘ remove or pass above Five Miles from thence, under the Pains ‘ in the said Statute limited and provided; which Statute, by ‘ reason of sundry Licences given unto such Recusants, under ‘ Colour of a Proviso in the said Statute contained, hath not ‘ wrought that good Effect in the Commonwealth as was hoped.’

§ 12.

35 Eliz. c. 2.

Continued.

35 Eliz. c. 2.

§ 12. repealed.

Be it therefore enacted and ordained by this present Parliament, and by the Authority of the same, That the said Statute made in the said Five and thirtieth Year of the said Queen *Elizabeth*, for and concerning the Confining of the said Recusants under the Pains and Penalties therein contained shall, by this Act, and by the Authority of the same, be confirmed, and be hereafter put in due Execution, according to the Tenor, true Intent and Meaning of the said Statute in that Behalf made: And that the said Proviso in the said Statute contained, giving Power to grant Licence or Licences unto the said Recusants, to go and travel from or out of the Compass of the said Five Miles, shall be, from and after the End of this present Session of Parliament, utterly repealed and void; any Thing in the said Statute to the contrary in any wise notwithstanding.

Licence to Re-
cusant to travel.

VII. Provided nevertheless, and be it further enacted by this present Parliament, and by the Authority of the same, That it shall and may be lawful for the King's most excellent Majesty, his Heirs and Successors, or for Three or more of His Majesty's most honourable Privy Council, or for Three or more of the Privy Council of his Heirs and Successors, in Writing under the Hands of the said Privy Councillors, to give Licence to every such Recusant to go and travel out of the Compass of the said Five Miles, for such Time as in the said Licence shall be contained, for their travelling, attending and returning, and without any other Cause to be expressed within the said Licence: And if any of the Persons which are so confined by virtue of the said Statute, as is aforesaid, shall have necessary Occasion or Business to go and travel out

out of the Compass of the said Five Miles, that then and in every such Case, upon Licence in Writing in that Behalf to be gotten, under the Hands and Seals of Four of the Justices of Peace of the same County, Limit, Division or Place next adjoining to the Place of Abode of such Recusant, with the Privy and Assent in Writing of the Bishop of the Diocese, or of the Lieutenant, or of any Deputy Lieutenant of the same County residing within the said County or Liberty, under their Hands and Seals: In every of which Licence or Licences in Writing so to be had and made, shall be specified and contained both the particular Cause of the said Licence, and the Time how long the said Party licensed shall be absent, in travelling, attending and returning: It shall and may thereupon be lawful for every such Person so licensed, to go and travel about such their necessary Business, and for such Time only for their travelling, attending and returning, as shall be comprised in the said Licence, the said Party so licensed first taking his corporal Oath before the said Four Justices of the Peace, or any of them (who shall have Authority by virtue of this Act to minister the same) that he hath truly informed them of the Cause of his Journey, and that he shall not make any causeless Stays: And that all and every Licence hereafter to be made in this Behalf, contrary to the Tenor, Effect and true Meaning of this Statute, shall be utterly void, frustrate and of none Effect; any Thing in the said former Act, or in this Act to the contrary notwithstanding. And every Person so confined, which shall depart or go above Five Miles from the Place whereunto he is or shall be confined, not having such Licence, and not having taken such Oath as aforesaid, shall incur the Pain and Penalty, and forfeit as a Recusant convicted, and passing or going above Five Miles from the said Place whereunto he is or shall be confined, by the said Statute of *Tricesimo quinto Elizabethæ*, should do.

Oath.

Where Licence void.

Penalty.

35 Eliz. c. 2.

VIII. And be it further enacted by the Authority aforesaid, That no Recusant Convict shall at any Time after the End of this Session of Parliament practise the Common Law of this Realm as a Counsellor, Clerk, Attorney or Solicitor in the same, nor shall practise the Civil Law as Advocate or Proctor; nor practise Physick, nor use or exercise the Trade or Art of an Apothecary; nor shall be Judge, Minister, Clerk or Steward of or in any Court, or keep any Court, nor shall be Register or Town Clerk, or other Minister or Officer in any Court; nor shall bear any Office or Charge as Captain, Lieutenant, Corporal, Serjeant, Ancient bearer or other Officer in Camp, Troop, Band or Company of Soldiers; nor shall be Captain, Master, Governor, or bear any Office or Charge of or in any Ship, Castle or Fortres of the King's Majesty's, his Heirs and Successors; but be utterly disabled for the same: And every Person offending herein shall also forfeit for every such Offence One hundred Pounds; the one Moiety whereof shall be to the King's Majesty, his Heirs and Successors, and the other Moiety to him that will sue for the same by Action of Debt, Bill, Plaint or Information, in any of the King's Majesty's Courts of Record, wherein no Effoin, Protection or Wager of Law shall be admitted or allowed.

Recusant disabled to practise certain Offices and Functions.

Penalty.

IX. And be it also enacted by the Authority aforesaid, That no Popish Recusant Convict, nor any having a Wife being a Popish Recusant Convict, shall at any Time after the End of this Session

No Recusant to be a publick Officer.

of Parliament, or any Popish Recusant hereafter to be convicted, or having a Wife which hereafter shall be a Popish Recusant Convict, at any Time after his or her Conviction, shall exercise any publick Office or Charge in the Commonwealth, but shall be utterly disabled to exercise the same by himself, or by his Deputy; except such Husband himself, and his Children which shall be above the Age of Nine Years abiding with him, and his Servants in Household, shall once every Month at the least, not having any reasonable Excuse to the contrary, repair to some Church or Chapel usual for Divine Service, and there hear Divine Service; and the said Husband, and such his Children and Servants as are of meet Age, receive the Sacrament of the Lord's Supper at such Times as are limited by the Laws of this Realm, and do bring up his said Children in true Religion.

Married Woman
Recusant.

X. And be it also enacted by the Authority aforesaid, That every married Woman, being or that shall be a Popish Recusant convicted, (her Husband not standing convicted of Popish Recusancy) which shall not conform herself and remain conformed, but shall forbear to repair to some Church or usual Place of Common Prayer, and there, to hear Divine Service and Sermon, if any then be, and within the said Year receive the Sacrament of the Lord's Supper, according to the Laws of this Realm, by the Space of one whole Year next after the Death of her said Husband, shall forfeit and lose to the King's Majesty, his Heirs and Successors, the Issues and Profits of Two Parts of her Jointure, and Two Parts of her Dower, in Three Parts to be divided, during her Life, of or out of any the Lands, Tenements or Hereditaments, which are or were her said Husband's, and also be disabled to be Executrix or Administratrix of her said Husband, and to have or demand any Part or Portion of her said late Husband's Goods or Chattels, by any Law, Custom or Usage whatsoever.

Penalty.

Recusant to be
as excommu-
nicated.

XI. And be it further enacted by the Authority aforesaid, That every Popish Recusant which is or shall be convicted of Popish Recusancy, shall stand and be reputed to all Intents and Purposes disabled, as a Person lawfully and duly excommunicated, and as if he or she had been so denounced and excommunicated according to the Laws of this Realm, until he or she so disabled shall conform him and herself, and come to Church, and hear Divine Service, and receive the Sacrament of the Lord's Supper, according to the Laws of this Realm, and also take the Oath appointed and prescribed in one other Act made this present Session of Parliament, intituled, *An Act for the better discovering and repressing of Popish Resusants*: And that every Person and Persons sued or to be sued by such Person so disabled, shall and may plead the same in disabling of such Plaintiff, as if he or she were excommunicated by Sentence in the Ecclesiastical Court.

3 Jac. I. c. 4.

What Actions
Recusant may
prosecute.

XII. Provided nevertheless, That it shall and may be lawful for any such Person so disabled, for and notwithstanding any Thing in this Law contained, to sue or prosecute any Action or Suit for or concerning only such of his or her Lands, Tenements, Leases, Rents, Annuities and Hereditaments, or for the Issues and Profits thereof, which are not to be seized or taken into the King's Hands, his Heirs or Successors, by Force of any Law, for or concerning his or her Recusancy, or any Part thereof.

• XIII. And

‘ XIII. And for that Popish Recusants are not usually married, nor their Children christened, nor themselves buried according to the Law of the Church of *England*, but the same are done superstitiously by Popish Persons in secret, whereby the Days of their Marriages, Births and Burials cannot be certainly known:’ Be it further enacted by Authority of this present Parliament, That every Man being or which shall be a Popish Recusant convicted, and who shall be hereafter married otherwise than in some open Church or Chapel, and otherwise than according to the Orders of the Church of *England*, by a Minister lawfully authorized, shall be utterly disabled and excluded to have any Estate of Freehold into any the Lands, Tenements and Hereditaments of his Wife, as Tenant by the Courtesy of *England*: And that every Woman being, or which shall be, a Popish Recusant convicted, and who shall be hereafter married in other Form than as aforesaid, shall be utterly excluded and disabled, not only to claim any Dower of the Inheritance of her Husband, whereof she may be endowable, or any Jointure of the Lands and Hereditaments of her Husband, or any of his Ancestors, but also of her Widow’s Estate and Frank-bank in any customary Lands whereof her Husband died seised, and likewise be disabled and excluded to have or enjoy any Part or Portion of the Goods of her said Husband, by virtue of any Custom of any County, City or Place where the same shall lie or be; and if any such Man shall be married with any Woman contrary to the Intent and true Meaning of this Act, which Woman hath or shall have no Lands, Tenements or Hereditaments, whereof he may be entitled to be Tenant by the Courtesy, then such Man so marrying as aforesaid, shall forfeit and lose One hundred Pounds, the one Half thereof to be to the King’s Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons as shall sue for the same by Action of Debt, Bill, Complaint or Information, in any of the King’s Majesty’s Courts of Record, wherein no Essoin, Protection or Wager of Law shall be admitted or allowed.

Recusants Married by Priests, &c.

Disabilities.

Penalty.

XIV. And that every Popish Recusant which shall hereafter have any Child born, shall, within One Month next after the Birth thereof, cause the same Child to be baptized by a lawful Minister, according to the Laws of this Realm, in the open Church of the same Parish where the Child shall be born, or in some other Church near adjoining, or Chapel where Baptism is usually administered: Or if by Infirmary of the Child it cannot be brought to such Place, then the same shall within the Time aforesaid be baptized by the lawful Minister of any of the said Parishes or Places aforesaid; upon Pain that the Father of such Child, if he be living by the Space of One Month next after the Birth of such Child, or if he be dead within the said Month, then the Mother of such Child, shall for every such Offence forfeit One hundred Pounds of lawful Money of *England*; one Third Part whereof to be to the King’s Majesty, his Heirs and Successors; one other Third Part to the Informer, or him that will sue for the same, and the other Third Part to the Poor of the said Parish, to be recovered by Action of Debt, Bill, Complaint or Information, in any of the King’s Majesty’s Courts of Record, wherein no Essoin, Protection or Wager of Law shall be admitted or allowed.

Baptism of Recusants Children.

Penalty.

XV. And if any Popish Recusant, Man or Woman, not being excommunicate, shall be buried in any Place other than in the Church

Burying Recusants, not excommunicate.

Penalty.

Church or Church yard, or not according to the Ecclesiastical Laws of this Realm, that the Executors or Administrators of every such Person so buried, knowing the same, or the Party that causeth him to be so buried, shall forfeit the Sum of Twenty Pounds; the one Third Part whereof shall be to our Sovereign Lord the King; the other Third Part to the Informer, or him or them that will sue for the same; and the other Third Part to the Poor of the Parish where such Person died, to be recovered by Action of Debt, Bill, Plaint or Information, in any of the King's Majesty's Courts of Record, wherein no Effoin, Protection or Wager of Law shall be admitted or allowed.

Children departing Realm.

Penalty.

3 Jac. I. c. 4.

XVI. And be it further enacted by this present Parliament, That if the Children of any Subject within this Realm (the said Children not being Soldiers, Mariners, Merchants, or their Apprentices or Factors) to prevent their good Education in *England*, or for any other Cause, shall hereafter be sent or go beyond Seas, without Licence of the King's Majesty, or Six of his Honourable Privy Council (whereof the principal Secretary to be one) under their Hands and Seals, That then all and every such Child and Children so sent, or which shall so go beyond the Seas, shall take no Benefit by any Gift, Conveyance, Descent, Devise or otherwise, of or to any Lands, Tenements, Hereditaments, Leases, Goods or Chattels, until he or they being of the Age of Eighteen Years or above, take the Oath mentioned in an Act of Parliament made this present Session, intituled, *An Act for the better discovering and repressing of Popish Recusants*, before some Justice of Peace of the County, Liberty or Limit, where such Parents of such Children as shall be so sent, did and shall inhabit or dwell; and that in the mean Time the next of his or her Kin, which shall be no Popish Recusant, shall have and enjoy the said Lands, Tenements, Hereditaments, Leases, Goods and Chattels so given, conveyed, descended or devised, until such Time as the Person so sent or gone beyond the Seas, shall conform him or herself, and take the aforesaid Oath, and receive the Sacrament of the Lord's Supper: And after such Oath taken, and conforming of himself, and receiving the Sacrament of the Supper of the Lord, he or they which have so received the Profits of the said Lands, Tenements, Hereditaments, Goods and Chattels or any of them, shall make Account of the Profits so received, and in reasonable Time make Payment thereof, and restore the Value of the said Goods to such Person as shall so conform him or herself as aforesaid: And that all such Persons as shall send the said Child or Children over Seas, without Licence as aforesaid (unless the said Child or Children be Merchants, or their Apprentices or Factors, Mariners or Soldiers) shall forfeit One hundred Pounds, to be divided, had and recovered in Three equal Parts, whereof the one Third Part shall be to the King, his Heirs and Successors, the other Third Part to such as shall sue for the same, and the other Third Part to the Poor of such Parish where such Offender doth inhabit or remain, by Action of Debt, Bill, Plaint or Information, in any the King's Majesty's Courts of Record, wherein no Effoin, Protection or Wager of Law shall be admitted or allowed. [See 11 & 12 W. 3. c. 4. § 5, 6.]

Sending Child beyond Sea.

Penalty.

XVII. And for that many Subjects of this Realm, being neither Merchants, nor their Factors, nor Apprentices, Soldiers nor Mariners, are of late gone beyond the Seas without Licence, and
' are

'are not as yet returned,' Be it further enacted by the Authority of this present Parliament, That if any of the said Persons so gone beyond the Seas without Licence, which are not yet returned, shall not within Six Months next after their Return into this Realm, then being of the Age of Eighteen Years or more, take the Oath above specified before some Justice of Peace of the County, Liberty or Limit, where such Person shall inhabit or remain, that then every such Offender shall take no Benefit by any Gift, Conveyance, Descent, Devise or otherwise, of or to any Lands, Tenements, Hereditaments, Goods or Chattels, until he or they, being of the said Age of Eighteen Years or above, take the said Oath: And that likewise in the mean Time the next of Kin to the Person so offending, which shall be no Popish Recusant, shall have and enjoy the said Lands, Tenements, Hereditaments, Goods and Chattels so given, conveyed, descended or devised, until such Time as the Person so offending shall conform himself, and take the aforesaid Oath, and receive the said Sacrament of the Lord's Supper; and after such conforming, taking of the said Oath, and receiving of the said Sacrament, he or they that shall have so received the Profits of the said Lands, Tenements, Hereditaments, Goods and Chattels, shall make Account of the Profits so received, and in reasonable Time make Payment thereof, and of the Value of such Goods and Chattels, to such Person as shall so conform him or herself as aforesaid.

Persons gone
beyond Sea.

Penalty.

XVIII. And be it further enacted by the Authority of this present Parliament, That every Person or Persons that is or shall be a Popish Recusant Convict, during the time that he shall be or remain a Recusant, shall, from and after the End of this present Session of Parliament, be utterly disabled to present to any Benefice with Cure or without Cure, Prebend or any other Ecclesiastical Living, or to collate or nominate to any Free School, Hospital or Donative whatsoever, and from the Beginning of this present Session of Parliament, shall likewise be disabled to grant any Avoidance to any Benefice, Prebend or other Ecclesiastical Living: [See 1 W. & M. Seff. 1. c. 26.; and extended to Papists not convicted, 12 Ann. Stat. 2. c. 14.]

Recusant not to
present to a Be-
nefice, nor grant
an Advowson.

XIX. And that the Chancellor and Scholars of the University of Oxford, so often as any of them shall be void, shall have the Presentation, Nomination, Collation and Donation of and to every such Benefice, Prebend or Ecclesiastical Living, School, Hospital and Donative, set, lying and being in the Counties of Oxford, Kent, Middlesex, Suffex, Surrey, Hampsbire, Berksbire, Buckinghamsbire, Gloucestersbire, Worcesterbire, Staffordsbire, Warwickbire, Wiltsbire, Somersetsbire, Devonbire, Cornwall, Dorsetbire, Herefordbire, Northamptonbire, Pembrokebire, Carmarthenbire, Brecknockbire, Monmouthbire, Cardiganbire, Montgomerybire, the City of London, and in every City and Town, being a County of itself, lying and being within any of the Limits or Precincts of any of the Counties aforesaid, or in, or within any of them, as shall happen to be void during such Time as the Patron thereof shall be and remain a Recusant Convict as aforesaid.

Chancellor, &c.
of Oxford may
present to Recu-
sant's Benefice in
certain Counties.

XX. And that the Chancellor and Scholars of the University of Cambridge, shall have the Presentation, Nomination, Collation and Donation of and to every such Benefice, Prebend or Ecclesiastical Living, School, Hospital and Donative, set, lying and being in the

Chancellor and
Scholars of
Cambridge.

Counties of *Essex, Hertfordshire, Bedfordshire, Cambridgeshire, Huntingdonshire, Suffolk, Norfolk, Lincolnshire, Rutlandshire, Leicestershire, Derbyshire, Nottinghamshire, Shropshire, Cheshire, Lancashire, Yorkshire*, the County of *Durham, Northumberland, Cumberland, Westmorland, Radnorshire, Denbighshire, Flintshire, Carnarvonshire, Angleseyshire, Merionethshire, Glamorganshire*, and in every City and Town, being a County of itself, lying within any of the Limits or Precincts of any of the Counties last before mentioned, or in or within any of them, as shall happen to be void during such Time as the Patron thereof shall be and remain a Recusant Convict as aforesaid.

None presented
who hath another
Benefice.

XXI. Provided, That neither of the said Chancellors and Scholars of either of the said Universities, shall present or nominate to any Benefice with Cure, Prebend or other Ecclesiastical Living, any such Person as shall then have any other Benefice with Cure of Souls, and if any such Presentation or Nomination shall be had or made of any such Person so beneficed, the said Presentation or Nomination shall be utterly void; any Thing in this Act to the contrary notwithstanding.

Recusant not to
be Executor, &c.

XXII. Moreover, because Recusants Convict are not thought to meet to be Executors or Administrators to any Person or Persons whatsoever, nor to have the Education of their own Children, much less of the Children of any other of the King's Subjects, nor to have the Marriage of them; Be it therefore enacted by the Authority aforesaid, That such Recusants convicted, or which shall be convicted at the Time of the Death of any Testator, or at the Time of the Granting of any Administration, shall be disabled to be Executor or Administrator by Force of any Testament hereafter to be made, or Letters of Administration hereafter to be granted, nor shall have the Custody of any Child, as Guardian in Chivalry, Guardian in Socage, or Guardian in Nurture, of any Lands, Tenements or Hereditaments, being Freehold or Copyhold, but shall be adjudged disabled to have any such Wardship or Custody of any such Child, or of their Lands, Tenements or Hereditaments, being Freehold or Copyhold as aforesaid.

Who shall have
the Wardship.

XXIII. And that for the better Education and Preservation of the said Children, and of their Estates, the next of the Kin to such Child or Children, to whom the said Lands, Tenements or Hereditaments of such Child or Children cannot lawfully descend, who shall usually resort to some Church or Chapel, and there hear Divine Service, and receive the Holy Sacrament of the Lord's Supper Thrice in the Year next before, according to the Laws of this Realm, shall have the Custody and Education of the same Child, and of his said Lands and Tenements, being holden in Knights Service, until the full Age of the said Ward of One and twenty Years, and of his said Lands, Tenements and Hereditaments, being holden in Socage, as a Guardian in Socage, and of the said Lands, Tenements and Hereditaments holden by Copy of Court Roll of any Manor, so long as the Custom of the said Manor shall permit and allow the same; and in every of the said Cases shall yield an Account of the Profits thereof to the said Ward, as the Case shall require. [See 12 Car. 2. c. 24.]

The King's
Wards.

XXIV. And that if at any Time hereafter, any of the Wards of the King's Majesty, or of any other, shall be granted or sold

to

to any Popish Recufant Convict, fuch Grant or Sale fhall be utterly void and of none Effect.

XXV. And be it further enacted by the Authority of this present Parliament, That no Perfon or Perfons fhall bring from beyond the Seas, nor fhall print, fell or buy any Popish Primers, Ladies Pfalters, Manuals, Rosaries, Popish Catechifms, Miffals, Breviaries, Portals, Legends and Lives of Saints, containing fuperftitious Matter, printed or written in any Language whatsoever, nor any other fuperftitious Books printed or written in the *Engliſh* Tongue; upon Pain of Forfeiture of Forty Shillings for every fuch Book; one Third Part thereof to be to the King's Majesty, his Heirs and Succeffors, one other Third Part to him that will fue for the fame, and the other Third Part to the Poor of the Pariſh where fuch Book or Books fhall be found, to be recovered by Action of Debt, Bill, Plaint or Information, in any of the King's Majesty's Courts of Record, wherein no Effoin, Protection or Wager of Law fhall be admitted or allowed, and the ſaid Books to be burned.

Importing, &c.
Popiſh Books.

Penalty.

XXVI. And that it fhall be lawful for any Two Juſtices of Peace within the Limits of their Jurifdiction or Authority, and to all Mayors, Bailiffs and Chief Officers of Cities and Towns Corporate in their Liberties from time to time, to ſearch the Houſes and Lodgings of every Popiſh Recufant Convict, or of every Perſon whole Wife is or ſhall be a Popiſh Recufant Convict, for Popiſh Books and Relicks of Popery: And that if any Altar, Pix, Beads, Pictures, or ſuch like Popiſh Relicks, or any Popiſh Book or Books, ſhall be found in their or any of their Cuſtody, as in the Opinion of the ſaid Juſtices, Mayor, Bailiff or Chief Officer, as aforeſaid, ſhall be thought unmeet for ſuch Recufant, as aforeſaid, to have or uſe, the ſame ſhall be preſently defaced and burnt, if it be meet to be burned: And if it be a Crucifix or other Relick of any Price, the ſame to be defaced at the General Quarter-Sessions of the Peace in the County where the ſame ſhall be found, and the ſame ſo defaced to be reſtored to the Owner again.

Juſtices may
ſearch for Books,
printed, &c.

Crucifix, &c. to
be defaced.

XXVII. And be it alſo enacted by the Authority aforeſaid, That all ſuch Armour, Gunpowder and Munition, of whatſoever Kinds, as any Popiſh Recufant Convict within this Realm of *England*, hath or ſhall have in his Houſe or Houſes, or elſewhere, or in the Hands or Poſſeſſion of any other at his or their Diſpoſition, ſhall be taken from ſuch Popiſh Recufants or others which have or ſhall have the ſame to the Uſe of ſuch Popiſh Recufant, by Warrant of Four Juſtices of Peace at their General or Quarter Sessions, to be holden in the ſame County where ſuch Popiſh Recufant ſhall be reſident (other than ſuch neceſſary Weapons, as ſhall be thought fit by the ſaid Four Juſtices of Peace to remain and be allowed for the Defence of the Perſon or Perfons of ſuch Recufants, or for the Defence of his, her or their Houſe or Houſes) and that the ſaid Armour and Munition ſo taken, ſhall be kept and maintained at the Coſts of ſuch Recufants, in ſuch Places as the ſaid Four Juſtices of Peace at their ſaid Sessions of the Peace ſhall ſet down and appoint.

Recufant's
Armour.

XXVIII. And be it further enacted by the Authority aforeſaid, That if any ſuch Recufant having or which ſhall have any ſuch Armour, Gunpowder and Munition, or any of them, or if any other Perſon or Perfons which ſhall have any ſuch Armour, Gun-

Recufant not
delivering his
Armour.

Penalty.

powder and Munition, or any of them, to the Use of any such Recufant, shall refuse to declare or manifest unto the said Justices of the Peace, or any of them, what Armour he, she or they have, or shall have, or shall let, hinder or disturb the Delivery thereof, to any of the said Justices, or to any other Person or Persons authorized by their Warrant to take and seize the same; then every such Person so offending contrary to this Statute in this Behalf, shall forfeit and lose to the King's Majesty, his Heirs and Successors, his and their said Armour, Gunpowder and Munition, and shall also be imprisoned by Warrant of or from any Justices of Peace of such County, by the Space of Three Months, without Bail or Mainprize.

Recufant charged
with maintaining
Armour.

XXIX. And yet nevertheless, be it enacted by the Authority aforesaid, That notwithstanding the taking away of such Armour, Gunpowder and Munition, the said Popish Recufant shall and may be charged with the maintaining of the same, and with the buying, providing and maintaining of Horfe, and other Armour and Munition, in such Sort as other his Majesty's Subjects from Time to Time shall be appointed and commanded, according to their several Abilities and Qualities, and that the said Armour and Munition, at the Charge of such Popish Recufant, for them, and as their own Provision of Armour and Munition, shall be shewed at every Muster, Shew or Use of Armour to be had or made within the said County.

Ecclesiastical
Censures.

XXX. Provided always, That neither this Act, nor any Thing therein contained, shall extend to take away or abridge the Authority or Jurisdiction of the Ecclesiastical Censures, for any Cause or Matter; but that the Commissioners of his Majesty, his Heirs and Successors, in Causes Ecclesiastical, for the Time being, Archbishops, Bishops and other Ecclesiastical Judges, may do and proceed as before the making of this Act they lawfully did or might have done; any Thing in this Act to the contrary in any wise notwithstanding.

[See 12 Ann. Stat. 2. c. 14. § 1. 31 G. 3. c. 32. § 3.]

C A P. VI.

An Act to enable all His Majesty's loving Subjects of *England* and *Wales*, to trade freely into the Dominions of *Spain*, *Portugal* and *France*.

Charter of Incorporation to trade into Spain, &c.

WHEREAS divers Merchants have of late obtained from the King's most excellent Majesty, under the Great Seal of *England*, a large Charter of Incorporation for them and their Company to trade into the Dominions of *Spain* and *Portugal*, and are also most earnest Suitors to obtain the like from his said Majesty for *France*, whereby none but themselves, and such as they shall think fit, as being meer Merchants, shall take Benefit of the said Charter, disabling thereby all others his Majesty's loving Subjects of this Realm of *England* and *Wales*, who during all the Time of her late Majesty's Wars, were in divers respects greatly charged for the Defence of their Prince and Country, and therefore ought indifferently to enjoy all the Benefits of this most Happy Peace; and also debarring them from that free Enlargement of common Traffick into those Dominions, which others his Majesty's

' Majesty's Subjects of his Realms of *Scotland* and *Ireland* do enjoy;
 ' to the manifest impoverishing of all Owners of Ships, Masters,
 ' Mariners, Fishermen, Clothiers, Tuckers, Spinsters, and many
 ' Thousands of all Sorts of Handicraftsmen, besides the Decrease
 ' of his Majesty's Customs, Subsidies and other Impositions; and
 ' the Ruin and Decay of Navigation, together with the Abating
 ' of the Prices of our Wools, Cloth, Corn and such like Commo-
 ' dities, arising and growing within this his said Majesty's Realm
 ' of *England*, and the inhancing of all *French* and *Spanish* Commo-
 ' dities, by reason of the Insufficiency of the Merchants, they
 ' being few in Number, and not of Ability to keep the great
 ' Number of our Ships and Seafaring Men a-work, and to vent
 ' the great Store of Commodities which this his Majesty's Domi-
 ' nion of *England* doth yield; and by Means that all Owners and
 ' Mariners, with divers others (if these Incorporations should con-
 ' tinue) shall be cut off from their ordinary Means of Maintenance,
 ' and preserving their Estates; and finally, by reason that all
 ' *French* and *Spanish* Commodities shall be in a few Mens Hands:
 ' In respect whereof, as also for many other manifold Inconve-
 ' niencies growing thereby, much Hurt and Prejudice must needs
 ' redound to all his Majesty's loving Subjects of this his Highness
 ' Realm of *England*, if Reformation for the Prevention of so great
 ' an Evil be not had in due Time: For Remedy whereof, be it
 ' enacted by the King's most excellent Majesty, the Lords Spiritual
 ' and Temporal, and Commons, in this present Parliament assembled,
 ' and by the Authority of the same, That it shall and may be lawful
 ' to and for all his Majesty's Subjects of this his Highness Realm of
 ' *England* and *Wales*, from henceforth at all Times to have free
 ' Liberty to trade into and from the Dominions of *Spain*, *Portugal*
 ' and *France*, in such Sort, and in as free Manner, as was at any
 ' time accustomed sithence the Beginning of this his Highness most
 ' happy Reign in this his Realm of *England*, and at any time before
 ' the said Charter of Incorporation was granted, paying to the
 ' King's most excellent Majesty, his Heirs and Successors, all such
 ' Customs and other Duties as by the Laws and Statutes of this
 ' Realm ought to be paid and done for the same: The said Charter
 ' of Incorporation, or any other Charter, Grant, Act or any Thing
 ' else, heretofore made or done, or hereafter to be done, to the
 ' contrary in any wise notwithstanding.

II. Provided always, That this Act, or any Thing therein con-
 ' tained, shall not be of Force to enable or give Liberty to any
 ' Person or Persons to go over Seas without Licence, who by the
 ' Laws and Statutes of this Realm, or by any Statute hereafter to
 ' be made, shall be restrained from going beyond the Seas without
 ' Licence; any Thing to the contrary notwithstanding.

Departing Realm
 without Licence.

[See 4 Jac. I. c. 9. § 3.]

C A P. VII.

An Act to reform the Multitudes and Misdemeanors of At-
 ' tornies and Solicitors at Law, and to avoid unnecessary
 ' Suits and Charges in Law.

' FOR that through the Abuse of sundry Attornies and Soli-
 ' citors by charging their Clients with excessive Fees and
 ' other unnecessary Demands, such as were not, ne ought by them

Attorney shall
have Ticket of
Money paid for
Fees, &c.

Bill of Costs.

Attorney delay-
ing Suit, &c.

Penalty.

Who only may
be Attornies or
Solicitors.

Following Suit
in another's
Name.

Penalty.

‘ to have been employed or demanded, whereby the Subjects grow
‘ to be overmuch burthened, and the Practice of the just and
‘ honest Serjeant and Counsellor at Law greatly slandered: And
‘ for that to work the private Gain of such Attornies and Soli-
‘ citors, the Client is oftentimes extraordinarily delayed:’ Be it
enacted by the Authority of this present Parliament, That no
Attorney, Solicitor or Servant to any, shall be allowed from his
Client or Master, of or for any Fee given to any Serjeant or Coun-
sellor at Law, or of or for any Sum or Sums of Money given for
Copies to any Clerk or Clerks or Officers in any Court or Courts
of Record at *Wesminster*, unless he have a Ticket subscribed with
the Hand and Name of the same Serjeant or Counsellor, Clerk or
Clerks, or Officers aforesaid, testifying how much he hath received
for his Fee, or given or paid for Copies, and at what Time, and
how often: And that all Attornies and Solicitors shall give a true
Bill unto their Masters or Clients, or their Assigns, of all other
Charges concerning the Suits which they have for them, subscribed
with his own Hand and Name, before such Time as they or any
of them shall charge their Clients with any the same Fees or
Charges: And that if the Attorney or Solicitor do or shall wil-
lingly delay his Clients Suits to work his own Gain, or demand by
his Bill any other Sums of Money or Allowance upon his Ac-
count of any Money which he hath not laid out or disbursed, that
in every such Case the Party grieved shall have his Action against
such Attorney or Solicitor, and recover therein Costs and treble
Damages, and the said Attorney and Solicitor shall be discharged
from thenceforth from being an Attorney or Solicitor any more.

II. And to avoid the infinite Numbers of Solicitors and Attor-
nies, Be it enacted by the Authority of this present Parliament,
That none shall from henceforth be admitted Attornies in any the
King's Courts of Record aforesaid, but such as have been brought
up in the same Courts, or otherwise well practised in soliciting
of Causes, and have been found by their Dealings to be skilful and
of honest Disposition: And that none to be suffered to solicit any
Cause or Causes in any of the Courts aforesaid, but only such as
are known to be Men of sufficient and honest Disposition: And
that no Attorney shall admit any other to follow any Suit in his
Name; upon Pain that both the Attorney and he that followeth
any such Suit in his Name, shall each of them forfeit for such
Offence Twenty Pound; the one Moiety whereof to our Sovereign
Lord the King, his Heirs and Successors, and the other
Moiety to the Party grieved, to be recovered in any the said Courts
of Record aforesaid, by original Writ of Debt, Bill, Plaint or In-
formation, wherein no Manner of Essoin, Wager of Law or Pro-
tection shall be allowed: And that the Attorney in such Case
shall be excluded from being an Attorney for ever thereafter.
[See 2 G. 2. c. 23. § 10.]

C A P. VIII.

An Act to avoid unnecessary Delays of Executions.

‘ **F**ORASMUCH as his Highness Subjects are now more
‘ commonly withholden from their just Debts, and often in
‘ Danger to lose the same, by Means of Writs of Error, which are
‘ more commonly sued than heretofore they have been:’ Be it
therefore

therefore enacted by the Authority of this present Parliament, That from and after the End of this present Session of Parliament no Execution shall be stayed or delayed upon or by any Writ of Error, or *Superfedeas* thereupon to be sued, for the reversing of any Judgment given, or to be given, in any Action or Bill of Debt upon any single Bond for Debt; or upon any Obligation, with Condition for the Payment of Money only; or upon any Action or Bill of Debt for Rent, or upon any Contract; sued in any of his Highness Courts of Record at *Westminster*, or in the Counties Palatine of *Chester*, *Lancaster* or *Durham*, or in his Highness Courts of Great Sessions in any of the Twelve Shires of *Wales*; unless such Person or Persons in whose Name or Names such Writ of Error shall be brought, with Two sufficient Sureties, such as the Court (wherein such Judgment is or shall be given) shall allow of, shall first before such Stay made, or *Superfedeas* to be awarded, be bound unto the Party for whom any such Judgment is or shall be given, by Recognizance to be acknowledged in the same Court, in double the Sum adjudged to be recovered by the said former Judgment, to prosecute the said Writ of Error with Effect, and also to satisfy and pay (if the said Judgment be affirmed) all and singular the Debts, Damages and Costs, adjudged or to be adjudged upon the former Judgment; and all Costs and Damages to be also awarded for the same delaying of Execution. This Act to have Continuance to the End of the First Session of the next Parliament.

In what Cases Execution shall not be stayed upon Writ of Error.

Superfedeas.

Continuance.

[*Made perpetual*, 3 Car. 1. c. 4. § 4. See 13 Car. 2. Stat. 2. c. 2. 16 & 17 Car. 2. c. 8.]

C A P. IX.

An Act for the Relief of such as lawfully use the Trade and Handicraft of *Skinner*s.

WHEREAS the said Artizan Skinners before the One and twentieth Year of the late Queen were at Liberty, and usually did transport into the East-land Countries, Coney-skins, and Lamb-skins called Morkins, of the Growth of this Kingdom, being in great Request in those Countries, without Contradiction: In which One and twentieth Year of her Majesty's Reign the East-land Merchants procured a Charter from her Majesty, in which is contained a Prohibition therein, that none but they the Merchants of those Countries might transport any Merchandizes thither: Sithence which Time the said Artizan Skinners have, by Colour of those Letters Patents, been restrained from Transportation, and thereupon did for the Maintenance of them and their poor Families apply themselves to their Handy Labours, and to provide and buy within this Realm, as well of Petty Chapmen as others, the said Skins within this Kingdom; and the Surplusage over and above such as they wrought into Manufactures, they sold to the said Merchants that had gotten the said Letters Patents for Transportation as aforesaid; by Reason whereof the said Artizan Skinners, with their Wives and Families, lived in good manner, and maintained many Thousands, both Tawers and other Workmen, and very many of them were Subsidy-men, and Men that paid many Duties in good Sort; until of late time that divers Merchants and others, for their own

Charter to the East-land Merchants, 21 Eliz.

‘ private Gain, do by themselves, their Factors and Servants, in
 ‘ disorderly and unmerchant-like Manner, buy, forestall, ingross
 ‘ and provide the said Commodities, and so draw the whole Trade
 ‘ into their own Hands, and work the same in their own Houses,
 ‘ and not contented therewith, do likewise sell and retail the said
 ‘ Skins here again unto other Merchant Strangers, whereby they
 ‘ do deprive the said Artizan Skinners both from buying, selling
 ‘ and Transportation, and thereupon the whole Trade of Artizan
 ‘ Skinners is utterly impoverished generally throughout *England* :’

Dressing Black
 Coney-skins, or
 transporting them
 undressed.

II. Be it therefore enacted by our Sovereign Lord the King's
 Majesty, by the Lords Spiritual and Temporal, and the Commons,
 in this present Parliament assembled, and by the Authority of the
 same, That no Person or Persons after the End of Three Months
 next ensuing after the End of this present Session of Parliament,
 using the Trade of Merchandize or any other, shall dress or cause
 to be dressed, in his or their House or Houses, or by any Workman
 appointed by them for that Purpose (those Workmen not being
 Artizan Skinners, and using the Trade of the Artizan Skinners)
 any of the black Coney-skins of this Kingdom; nor shall trans-
 port or carry beyond the Seas, nor cause to be transported or car-
 ried beyond the Seas, nor shall pack, ship or lade, to the Intent to
 transport or carry beyond the Seas, any black Coney-skins of the
 Breed of this Realm, unless the same Skins shall first be tawed and
 duly and perfectly wrought, dressed and packed within this Realm,
 by those that are Artizan Skinners or Tawers unto the said Artiz-
 an Skinners, according to the Science, Art and Faculty of the
 Artizan Skinners; upon Pain of Forfeiture of such Skins so
 packed, shipped, laden and transported, contrary to this Act, or
 the just and full Value thereof.

Penalty.

Number of
 Coney-skins to
 be bought and
 sold at one Time.

III. And be it further enacted by the Authority aforesaid, That
 no Person or Persons using or exercising the Trade of a Merchant,
 shall, after the End of the said Three Months next ensuing after
 the End of this present Session of Parliament, buy, bargain or
 contract for, or cause to be bought, bargained or contracted for,
 any Coney-skins or Lamb-skins, commonly called Morkins, of the
 Breed of this Realm, or being within this Realm, under the Num-
 ber of One thousand Black Coney-skins, or Three thousand Grey
 Coney-skins, or Two thousand Lamb-skins called Morkins, at a
 time, and those not to be bought or contracted for in or by Parcels,
 but to be contracted for, bargained and delivered at one time
 intirely together, and not by Parcels, (except it be of the Artizan
 Skinners) nor shall utter or sell the same again, nor any Part thereof,
 to any Person or Persons within this Realm in small Parcels: That
 is to say, under the Number of One thousand Black Coney-skins,
 and Three thousand of Grey Coney-skins, and Two thousand of
 Morkins at a Time, unless it be to the Artizan Skinner; upon Pain
 of Forfeiture of the said Skins or the full Value of the same.

Penalty.

Skinners' Ap-
 prentices and
 Journey-men.

IV. And be it further enacted by the Authority aforesaid, That
 after the End of the said Three Months next ensuing after the End
 of this present Session of Parliament, no Person or Persons shall
 take, retain or keep any Servant, Journeyman or Apprentice, to
 serve or work with him therein, except the said Person so using or
 setting up the said Trade, Mystery or Occupation, have served
 Seven Years at the least as an Apprentice therein, and do use the
 Trade and Handicraft of a Skinner; upon Pain of Forfeiture of
 the

the double Value of all such Skins or Furs as shall be dressed or wrought by such Person or Persons, his or their Servants, Journey-men or Apprentices, contrary to the Intent of this Act.

V. And be it enacted by the Authority aforesaid, That all Forfeitures and Penalties, which, by Force of this Act, shall arise or grow, shall be divided and distributed in Manner and Form following, that is to say, the one Moiety of the said Penalties and Forfeitures afore mentioned shall be to our Sovereign Lord the King's Majesty, his Heirs and Successors, and the other Moiety thereof to such Person or Persons as shall seize the said Skins or Furs so forfeited, or shall sue for the same Penalties and Forfeitures, by Action of Debt, Bill, Plaint or Information, in any Court of Record: In which Suits no Effoin, Protection or Wager of Law shall be allowed.

VI. This Act to endure until the End of the First Session of the next Parliament.

[Continued, 3 Car. I. c. 4. § 22. 16 Car. I. c. 4.]

C A P. X.

An Act for the rating and levying of the Charges for conveying Malefactors and Offenders to the Gaol.

WHEREAS his Majesty's honest and loving Subjects are much charged and burthened in conveying Felons, and other Malefactors and Offenders against his Majesty's Laws and Statutes, unto the Gaol, punishable by Imprisonment there, the said Felons and other Malefactors and Offenders having Goods and Chattels of their own, whereby to defray the same Charge themselves, to the great Encouragement of such Malefactors and Offenders in their said wicked and bad Courses, and to the Discouragement of his Majesty's said honest and loving Subjects in prosecuting the said Malefactors and Offenders to be punished according to their Demerits: Be it enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That all and every Person and Persons whatsoever, that, from and after the End of this present Session of Parliament, shall be committed to the common or usual Gaol within any County or Liberty within this Realm, by any Justice or Justices of the Peace, for any Offence or Misdemeanor to any such Gaol, that the said Person or Persons so to be committed as aforesaid, having Means or Ability thereunto, shall bear their own reasonable Charges for so conveying or sending them to the said Gaol, and the Charges also of such as shall be appointed to guard them to such Gaol, and shall so guard them thither: And if any such Person or Persons so to be committed as aforesaid, shall refuse at the time of their Commitment and sending to the said Gaol, to defray the said Charges, or shall not then pay or bear the same, That then such Justice or Justices of the Peace shall and may by Writing under his or their Hand and Seal, or Hands and Seals, give Warrant to the Constable or Constables of the Hundred, or Constable or Tithing-man of the Tithing or Township where such Person or Persons shall be dwelling and inhabit, or from whence he or they shall be committed as aforesaid, or where he or they shall have any Goods within the County or Liberty, to sell such and so much of the

How Penalties recovered, &c.

How Charges to be levied if Prisoner refuse to pay them.

the Goods and Chattels of the said Persons so to be committed, as by the Discretion of the said Justice or Justices of the Peace shall satisfy and pay the Charges of such his or their conveying and sending to the said Gaol, the Appraisement to be made by Four of the honest Inhabitants of the Parish or Tithing where such Goods or Chattels shall remain and be, and the Overplus of the Money which shall be made thereof to be delivered to the Party to whom the said Goods shall belong.

“ If the Offender be not able to bear his Charges the Parishioners shall do it. § 2. [Repealed, 27 G. 2. c. 3. § 2.]

Pleading.

III. And be it enacted by the Authority of this present Parliament, That if any Action of Trespas or other Suit shall happen to be attempted or brought against the Person or Persons for taking of any Distress, making of any Sale, or any other Act by Authority of this present Act, the Defendant or Defendants in any such Action or Suit, shall and may either plead Not Guilty, or otherwise make Avowry, Cognizance or Justification for the taking of the said Distresses, making of Sale or other Act by virtue of this Act, alledging in such Avowry, Cognizance or Justification, that the said Distress, Sale, Trespas or other Thing whereof the Plaintiff or Plaintiffs complained, was done by Authority of this Act, and according to the Tenor, Purport and Effect of this Act, without any Expressing or Rehearsal of any other Matter or Circumstance contained in this present Act: To which Avowry, Cognizance or Justification the Plaintiff shall be admitted to reply, That the Defendant did take the said Distress, made the said Sale, or did any other Act or Trespas supposed in his Declaration, of his own Wrong, without any such Cause alledged by the said Defendant; whereupon the Issue in every such Action shall be joined to be tried by Verdict of Twelve Men, and not otherwise, accustomed in other personal Actions; and upon the Trial of that Issue, the whole Matter to be given on both Parties in Evidence, according to the very Truth of the same; and after such Issue tried for the Defendant, or Nonsuit of the Plaintiff after Appearance, the said Defendant to recover treble Damages by reason of his wrongful Vexation in that Behalf, with Costs also on that Part sustained, and that to be assessed by the same Jury, or Writ to enquire of the Damages, as the same shall require: This Act to continue until the End of the First Session of the next Parliament.

Treble Damages.
Costs.

Continuance.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.]

C A P. XI.

An Act for Transportation of Beer over the Seas.

1 Jac. 1. c. 25.
§ 26.

“ WHEREAS by a Statute made in the First Year of the Reign of our now most gracious Sovereign Lord King James, it is lawful to transport over the Seas Barley or Malt, when the common Price thereof shall not exceed the Prices in the said Statute limited (a); by which said Act it is lawful for every Person and Persons, being Subjects of the King’s Majesty, his Heirs and Successors, to transport of his own, and to buy and transport unto any Port beyond the Seas in Amity with his Ma-

(a) [Repealed, 31 G. 3. c. 30.]

‘ jesty,

‘ jesty, to sell as Merchandize, in Ships, Crayers or other Vessels,
 ‘ whereof any *English*-born Subject or Subjects, then shall be the
 ‘ Owner or Owners, any Barley or Malt, when the Price of every
 ‘ such Quarter of Barley or Malt, exceeds not at the Times,
 ‘ Havens and Places, where and when the same shall be shipped
 ‘ or laden, the Sum of Fourteen Shillings current *English* Money,
 ‘ paying to the King’s Majesty, his Heirs and Successors, for the
 ‘ Custom and Poundage of every such Quarter of Barley and Malt
 ‘ so transported, the Sum of Sixteen pence in full Satisfaction of all
 ‘ Manner of Custom and Poundage for the same: Now, for that by
 ‘ the Transporting of Beer, the Custom and Poundage that will
 ‘ grow due to the King’s Majesty for the same Beer will be much
 ‘ greater, than when the Barley or Malt whereof the said Beer is
 ‘ made is transported, and also that the Navy and Mariners of this
 ‘ Realm will be the more increased, for that one Ship or Boat
 ‘ Load of Barley or Malt will, if the same be brewed out into
 ‘ Beer, make Four several Ships or Boats Load of the same Bur-
 ‘ then of Beer to be transported: The Tillage likewise of this
 ‘ Realm will be cherished and increased, by reason of the more
 ‘ speedy and often Vent of the Beer than of Barley or Malt: And
 ‘ also by the Brewing of such Malt into Beer within this Realm to
 ‘ be transported, divers Port Towns will be greatly comforted and
 ‘ relieved, many of his Majesty’s Subjects thereby employed and
 ‘ set on Work, and the Trades of Coopers and Brewers will be
 ‘ thereby better enabled to live and maintain themselves, their
 ‘ Wives, Children and Families:’

II. Be it therefore enacted by the King’s most excellent Ma-
 jesty, the Lords Spiritual and Temporal, and by the Commons, in
 this present Parliament assembled, and by the Authority of the
 same, That at all Times from and after the Feast of Pentecost
 which shall be in the Year of our Lord God One thousand six
 hundred and seven, it shall and may be lawful for all and every
 Person and Persons to transport of his own, or to buy and
 transport, or cause to be bought and transported, any Beer with
 the Cask, unto any Place or Places beyond the Seas in Amity and
 League with his Majesty, his Heirs or Successors, to sell as Mer-
 chandize or otherwise, in Ships, Crayers or other Vessels, when
 the Price of every Quarter of Malt at the Times, Havens and
 Places, when and where the same shall be shipped and laden, ex-
 ceed not the Sum of Sixteen Shillings current *English* Money; any
 Ordinance, Law or Statute to the contrary thereof in any wise
 notwithstanding: And that the King’s Majesty, his Heirs and
 Successors, shall have and receive by the Customers, Comptrollers
 and Officers of his Ports where such Beer shall be so shipped or
 laden to be transported the Sum of Eight Shillings Six pence for
 Impost, and Eighteen pence for Custom, to be paid by every Sub-
 ject of the King’s Majesty, his Heirs and Successors, for every
 Ton of Beer so to be transported: And likewise the Sum of Ten
 Shillings for Impost, and Two and twenty pence Halfpenny for
 Custom, to be paid by every Stranger; which shall be in full
 Satisfaction of all manner of Custom, Poundage, Impost or other
 Duties whatsoever for the same Beer; any Constitution, Order,
 Law, Statute or Custom heretofore made, used or taken for trans-
 porting of any such Beer, to the contrary in any wise notwith-
 standing.

[This Duty appears to be expired.]

At what Times
Beer may be
exported.

Duty on Beer
exported.

III. Provided

35 Eliz. c. 11.

III. Provided nevertheless, and be it further enacted and declared, That this Act nor any Thing therein contained, shall extend to repeal or make void any Clause, Article or Provision contained in any former Law now in Force, touching the bringing in of Clapboard, Cask or Shaffoldboard, but that every such Branch, Article, Clause or Provision, shall extend as well unto all and every Transportation or Transportations made lawful and warranted by virtue of this Act, as otherwise; any Thing contained in this Act to the contrary notwithstanding. This Act to continue but to the End of the First Session of the next Parliament.

Continuance.

[Continued, 3 Car. I. c. 4. § 22. 16 Car. I. c. 4. See 1 W. & M. Sess. 1. c. 22.]

C A P. XII.

An Act for the better Preservation of Sea-fish.

Setting up new
Wear, or de-
stroying Spawn
or Fry of Fish.

FORASMUCH as it is certainly known by daily Experience, that the Brood of Sea-fish is spawned and lieth in still Waters, where it may have Rest to receive Nourishment, and grow to Perfection, and that it is there destroyed by Wears, Draw Nets, and Nets with Canvas, or like Engines in the Middle or Bosom of them, in Harbours, Havens and Creeks within this Realm, to the great Damage and Hurt of Fishermen, and Hindrance of the Commonwealth, for that every Wear near the main Sea taketh in Twelve Hours, sometimes the Quantity of Five Bushels, sometimes Ten, sometimes Twenty or Thirty Bushels of the Brood of Sea-fish; and also those which use Draw Nets, Nets with Canvas, or Engines in the midst of them, do every Day they fish, destroy the Brood of all the Sorts of Fish afore said in great Multitudes:

Penalty.

Fishing with cer-
tain Nets and
Engines.

II. For Reformation whereof, Be it enacted by the Authority of this present Parliament, That every Person and Persons that from and after the Five and twentieth Day of *July* next ensuing this Session of Parliament, shall erect or set up any new Wear or Wears along the Sea-shore, or in any Haven, Harbour or Creek, or within Five Miles of the Mouth of any Haven or Creek, or shall willingly take, destroy or spoil any Spawn, Fry or Brood of any Sea-fish, in any Wear or other Engine or Device whatsoever, shall forfeit for every Time so erecting, setting up, taking, destroying or spoiling contrary to this Act, the Sum of Ten Pounds of good and lawful Money of *England*, the one Half to the King's Majesty, his Heirs or Successors, and the other Half to him that will sue for the same: And that every Person which after the First Day of *October* next ensuing this Session of Parliament, in any Haven, Harbour, Creek, or within Five Miles of the Mouth of any Haven, Harbour or Creek of the Sea, shall fish with any Draw-Net or Drag-Net under Three Inches Meash, viz. one Inch and an Half from Knot to Knot, except for the taking of Smoulds in *Norfolk* only, or with any Net with Canvas, or other Engine or Device, whereby the Spawn, Fry or Brood of Sea-fish may be destroyed, shall forfeit such Net, and also forfeit for every Time so doing, Ten Shillings of lawful Money of *England*, the one Half to the Use of the poor People of the City, Town Corporate, Borough, Market Town, Parish or Liberty, where the Offence or Offences shall be committed, and the other Half to the Person that shall sue

Penalty.

for

for the same; the said Forfeitures to be levied to the Uses afore-
said, by the Mayor, Bailiff or other Head Officer of every City,
Borough or Town Corporate: And by Warrant of one or more
Justices of Peace, it shall be lawful for the Constables and Church-
wardens of every Market Town, Parish or Liberty within which
any such Offence or Offences shall be done, by way of Distress and
Sale of the Offender's Goods, rendering to them the Surplusage,
according to the Order of former Statutes in such Cases of For-
feitures ordained.

III. Provided always, That this Act, or any Thing therein
contained, shall not extend to punish any Person or Persons for
using any Net or Nets of lesser Mesh than is by this Statute
appointed, only for taking of Herrings, Pilchards, Sprats or
Lavidnian; any Thing in this Act to the contrary in any wise
notwithstanding.

IV. Provided further, That this Act shall not extend to the Isle
and County of *Anglesey*.

C A P. XIII.

An Act against unlawful Hunting, Stealing of Deer and
Conies.

WHEREAS since the Making of the Statute of *Quinto* 5 *Eliz. c. 21*;
Regine Elizabethæ, cap. 21. there have been divers Grounds
inclosed, and used and kept for the Preservation and Mainte-
nance of Deer and Conies: And whereas there is not by the
said Statute of *Quinto Elizabethæ* neither by any other Act now in
force, any sufficient Remedy provided against such Malefactors
and evil disposed Persons, as shall chase, hunt or kill any the Deer
or Conies within such Grounds, sithence the said Statute of *Quinto*
Elizabethæ inclosed and kept, and used for the Maintenance and
Preservation of the said Game as afore said, or any former
Grounds which have been sithence the making of the said Statute
in any Part altered: By Reason whereof many Riots, Man-
slaughters, Mischiefs and other Inconveniences have been daily
committed and done, and like to be committed and done, if cir-
cumspèct Remedy be not hereunto provided:

II. Be it therefore enacted by the King's most excellent Ma-
jesty, the Lords Spiritual and Temporal, and the Commons, of
this present Parliament assembled, and by the Authority of the
same, That if any Person or Persons, after the Feast of *St. James*
the Apostle next ensuing, shall, in the Night-time, or by Day,
wrongfully or unlawfully break or enter into any Park impaled,
or any other several Grounds, inclosed with Wall, Pale or Hedge,
and used or kept for the Keeping, Breeding and Cherishing of any
Deer or Conies, and wrongfully or unlawfully shall hunt, drive or
chase out, or take, kill or slay any Deer or Conies within any such
impaled Park, or closed Ground with Pale, Wall or other Inclo-
sure as afore said, against the Will, Mind or Pleasure of the
Owners, Occupiers or Possessioners of the same, not having lawful
Title or Authority so to do, and thereof shall be lawfully convicted
at the Suit of our Sovereign Lord the King, his Heirs or Suc-
cessors, or the Party grieved, shall suffer Imprisonment of his or
their Bodies by the Space of Three Months; and also shall yield
and

Breaking Park
or Warren, and
hunting Deer or
Conies.

Imprisonment.

Treble Damages
and Costs.

and pay to the Party grieved his treble Damages and Costs (a), to be assessed and rated by the Justices before whom he or they shall be convicted, after the said Three Months expired; and shall find sufficient Sureties for his and their good Abearing against the King, his Heirs and Successors, and all his liege People, for the Space of Seven Years after, or else shall remain and continue still in Prison without Bail or Mainprise, until such Time as he or they so offending shall find sufficient Sureties during the said time and space of Seven Years.

(a) [Or £10. at the Election of Party grieved, 7 Jac. 1. c. 13. § 4; but so much of this Section as relates to the hunting, &c. of Deer repealed, 7 Jac. 1. c. 13. § 2.; and see Note at the End of AB.]

Who may de-
termine Offences.

III. And be it likewise enacted by the Authority aforesaid, That the Justices of Oyer and Terminer, Justices of Assize in their Circuits, and Justices of Peace and Gaol-delivery in their Sessions, shall by virtue hereof have Power and Authority to inquire, hear and determine all and singular the said Offences, by Examination of the Offenders, and to make and award Process thereupon, as well upon Indictments taken before them, as by Bill of Complaint, Information or any other Action; in which said Suit or Action no Effoin, Wager of Law or Protection shall be allowed.

Remedy of Party
grieved.

IV. And be it also enacted by the Authority aforesaid, That it shall and may be lawful to the Party grieved, to sue and take his further Remedy against all and every such Offender and Offenders, for his Loss and Damages, and to recover the treble Value of the same in that Behalf, as well before the Justices of Oyer and Terminer, Justices of Assize in their Circuits, and Justices of the Peace and Gaol-delivery in their Sessions, or elsewhere in any other the King's Majesty's Courts of Record at Westminster; and that upon true Satisfaction of the said treble Damages to the Party grieved, or upon the Confession or Acknowledgment thereof by the said Party offending, before the Justices in open Sessions holden for the County wherein the same Offence shall be committed, it shall be at the Liberty of the said Party grieved, to whom the said Offence is committed, to release at his Pleasure the Suretiship of the good Behaviour, at any Time within the said Seven Years or before; any Thing in this present Act before mentioned or declared to the contrary notwithstanding.

Release of Sure-
tiship for good
Behaviour.

Shooting with
Gun or Bow at
Deer, &c.

V. And be it also further enacted by the Authority aforesaid, That if any Person or Persons not having any Manors, Lands, Tenements or Hereditaments, of the clear yearly Value of Forty Pounds, or not worth in Goods or Chattels the Sum of Two hundred Pounds, shall use any Gun, Bow or Cross-bow, to kill any Deer or Conies, or shall keep any Buckstalls or Engine-hayes, Gate-nets, Purse-nets, Ferrets or Coney-dogs, except such Person or Persons as shall have any Ground imparked with Pale, or inclosed with Wall or Hedge as aforesaid, used for the Keeping, Breeding or Cherishing of any Deer or Conies, the Increasing of which said Conies shall amount to the clear yearly Value of Forty Shillings to be letten at the least, or Keepers or Warreners in their Parks, Warrens or Grounds belonging to their Charge; That then any Person having Lands, Tenements or Hereditaments of the clear yearly Value of One hundred Pounds in Fee-simple, Fee-tail or

Penalty.

or for Life, in his own Right, or in the Right of his Wife, may take from the Person or Possession of such Malefactor or Malefactors, and to his own Use for ever keep, such Guns, Bows, Cross-bows, Buckstalls or Engine-hays, Gate-nets, Purse-nets, Ferrets and Coney-dogs.

VI. And be it further enacted by the Authority aforesaid, That if any Person or Persons at any Time hereafter shall fortune to be bound before any the Justices before mentioned, to the King, his Heirs or Successors, for his or their good Abearing for Seven Years, according to the Tenor of this Act, and the same Party or Parties so bound, shall afterward within the said Seven Years come before the Justices of the Peace of the said County where the said Offence was committed, or some of them, in open Quarter-Sessions, and there in the said Sessions confess and acknowledge his or their said Offence or Offences, and that he or they is or are sorry therefore, and satisfy the Party or Parties grieved, according to the Tenor of this Act; That then the same Justices before whom the said Confession shall be so made, shall and may have Power and Authority by virtue of this Act, in the same open Sessions, or in any other Sessions afterwards to be holden before the said Justices in the said County, within the said Term of Seven Years, if it shall seem good to their Discretions, to discharge the said Recognizance and Bond so taken, and also the said Party and Parties so bound; this Act, or any Thing therein contained, to the contrary thereof notwithstanding.

In what Case Justices may discharge Suitor of good Abearing.

VII. Provided always, That this Act, or any Thing herein contained, do not extend to any Park or inclosed Ground, hereafter to be made and used for Deer or Conies, without the Grant or Licence of our Sovereign Lord the King, his Heirs or Successors.

Park, &c. made without the King's Licence.

VIII. Provided always, and be it further enacted, That this Act, nor any Thing therein contained, shall extend to any Offence or Offences concerning the hunting, chasing or killing of Deer or Conies, which shall be done or committed in the Day-time, but only to such Offences as shall be hereafter done or committed in the Night-time only; any Thing in this Act contained to the contrary thereof notwithstanding.

Offences committed in the Night only.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4. *So much of this Act as relates to Deer, repealed, 16 G. 3. c. 30. § 27.*]

C A P. XIV.

An Act for the Explanation of the Statute of Sewers.

‘ **F**ORASMUCH as the Walls, Ditches, Banks, Gutters, Sewers, Gates, Cawleys, Bridges, Streams and Watercourses in and about the City of *London*, where no Passage of Boats is used, having their Course and Fall into the River of *Thames*, where it doth usually ebb and flow, and is used for free Passage of Boats to the Sea, are already by the Commission of Sewers appointed to be surveyed, reformed and amended where Need shall require, and are as needful and meet to be surveyed, reformed and amended, from Noyance of the said River of *Thames*, by the Commissioners of Sewers, as those Rivers, Streams and Watercourses where the Water doth usually ebb or flow, and where more usual Passage Boats hath been, and yet are not

‘ under

23 H. 8. c. 5.

‘ under the Survey, Correction and Amendment of the Commission
 ‘ of Sewers, nor of the Statute made for Sewers in the Three and
 ‘ twentieth Year of the Reign of King *Henry* the Eighth, or of
 ‘ any other Statute made for Sewers as the same should have been,
 ‘ if the Hurts, Noyances and Inconveniencies now by daily Ex-
 ‘ perience felt and found in those Places had been seen and con-
 ‘ sidered of:’

II. For Reformation whereof, be it enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Walls, Ditches, Banks, Gutters, Sewers, Gates, Cawseys, Bridges, Streams and Watercourses, within the Limits of Two Miles of and from the City of *London*, which Waters have their Course, and fall into the River of *Thames*, shall from henceforth be to all Intents, Constructions and Purposes, as fully subject to the Commission of Sewers, and to all the Statutes made for Sewers, and to all Penalties in the same Statutes and in every of them contained, as if the same Places near to the said City of *London* had been particularly named in the said Statute of Sewers, or that therein the Water had ebbed and flowed, and therein free Passage with Boats and Barges to the Sea had been heretofore used; any Thing in the said Statutes or elsewhere, to the contrary in any wise notwithstanding.

[*New Sewers, &c. in London under Direction of Lord Mayor, &c.*
 19 Car. 2. c. 3. § 20.; but see Note at the End of that Act,—and
Powers of this Act extended as therein mentioned, 47 G. 3. Seff. 1.
 c. vii.]

C A P. XV.

An Act for the recovering of Small Debts, and for the relieving of poor Debtors in *London*.

1 Jac. 1. c. 14.

‘ WHEREAS by virtue of divers Acts of Common Council
 ‘ made within the City of *London*, the Lord Mayor and
 ‘ Aldermen of the same City, for the Relief of poor Debtors
 ‘ dwelling within the said City, have accustomed monthly to assign
 ‘ Two Aldermen and Twelve discreet Commoners to be Com-
 ‘ missioners, and sit in the Court of Requests, commonly called the
 ‘ Court of Conscience, in the *Guildhall* of the same City, there to
 ‘ hear and determine all Matters of Debt not amounting to the
 ‘ Sum of Forty Shillings, to be brought before them: And
 ‘ whereas at the Sessions of Parliament holden at *Westminster* the
 ‘ Nineteenth Day of *March*, in the First Year of the Reign of
 ‘ our Sovereign Lord the King’s Majesty that now is, for the fur-
 ‘ ther Relief of such poor Debtors, and more perfect establishing
 ‘ of the said Court, there was made and provided an Act, intituled,
 ‘ *An Act for Recovery of Small Debts and Relieving of poor Debtors*
 ‘ *in London* (a): And whereas since the making of the said Act,
 ‘ divers Persons, intending to subvert the good and charitable
 ‘ Intent of the same, and taking hold of some doubtful and am-
 ‘ biguous Words therein, do wrest the same for their own Lucre
 ‘ and Gain, to the avoiding the Jurisdiction of the said Court, con-
 ‘ trary to the godly Meaning of the said Act: (a) [*Repealed,*
post. § 7.]

II. For

II. For the Remedy whereof, and to the Intent that some more full and ample Provision may be made for the Relief of such poor Debtors, Be it enacted by Authority of this present Parliament, That every Citizen and Freeman of the City of *London*, and every other Person and Persons inhabiting or that shall inhabit within the said City or the Liberties thereof, being a Tradesman, Victualler or a labouring Man, which now have or hereafter shall have any Debt or Debts owing unto him or them, not amounting to Forty Shillings, by any Citizen, or by any other Person or Persons being a Victualler, Tradesman or labouring Man, inhabiting or that shall inhabit within the said City or the Liberties thereof, shall or may cause such Debtor or Debtors to be warned or summoned by the Beadle or Officer of the said Court of Requests for the Time being, by Writing to be left at the Dwelling-house of such Debtor or Debtors, or by any other reasonable Warning or Notice to be given to the said Debtor or Debtors, to appear before the Commissioners of the said Court of Requests holden in the *Guildhall* of the said City; and that the said Commissioners, or any Three of them or more, shall have Power and Authority by virtue of this Act, from time to time, to set down such Order or Orders between such Party or Parties Plaintiff, and his or their such Debtor or Debtors Defendants, touching such Debts not amounting to the Value of Forty Shillings in question before them, as they shall find to stand with Equity and good Conscience; all such their Order or Orders to be registred in a Book, as they have been accustomed, and as well the Party Plaintiff, as the Debtor or Defendant, to observe, perform and keep the same in all Points.

How Citizen of London to recover of another there a Small Debt.

III. And that for the more due Proceeding herein, it shall be lawful for the same Commissioners, or any Three or more of them, to minister an Oath to the Plaintiff or Defendant, and also to such Witnesses as shall be produced on each Party, if the same Commissioners, or any Three of them or more, shall so think it meet.

Oath.

IV. And be it further enacted by the Authority aforesaid, That if in any Action of Debt, or Action upon the Case upon an *Assumpsit* for the Recovery of any Debt, to be sued or prosecuted against any the Person or Persons aforesaid in any of the King's Courts at *Westminster*, or elsewhere, out of the said Court of Requests, it shall appear to the Judge or Judges of the Court where such Action shall be sued or prosecuted, that the Debt to be recovered by the Plaintiff in such Action doth not amount to the Sum of Forty Shillings, and the Defendant in such Action shall duly prove, either by sufficient Testimony, or by his own Oath, to be allowed by any the Judge or Judges of the said Court where such Action shall depend, that at the Time of the commencing of such Action such Defendant was inhabiting and resident in the City of *London*, or the Liberties thereof, as above, that in such Case the said Judge or Judges shall not allow to the said Plaintiff any Costs of Suit, but shall award that the same Plaintiff shall pay so much ordinary Costs to the Party Defendant, as such Defendant shall justly prove before the said Judge or Judges, it hath truly cost him in Defence of the said Suit.

Creditor suing in another Court shall pay Costs, and recover none.

V. And be it further enacted, That if any such Plaintiff or Creditor, Defendant or Debtor, after Warning given to him or them,

Refusing to appear or obey Order.

Imprisonment.

Proviso for
Debts for
Rent, &c.1 Jac. I. c. 14.
repealed.

them, in Manner and Form before in this A^ct mentioned, by the said Officer of the said Court of Requests, shall, without some just or reasonable Cause of Excuse, refuse to appear in the said Court before the said Commissioners, or shall not perform such Order as the said Commissioners, or any Three or more of them, shall set down for or concerning such Debts as aforesaid, that then it shall be lawful for the Officer of the said Court or any other of the Serjeants at Mace of the said City, by Order of the said Commissioners, or any Three or more of them, to commit such Party or Parties to Prison into one of the Counters of the said City, there to remain until he or they shall perform the Order of the said Commissioners in that Behalf.

VI. Provided always, That this A^ct, or any Thing therein contained, shall not extend to any Debt for any Rent upon any Lease of Lands or Tenements, or any other real Contracts, nor to any other Debt that shall arise by reason of any Cause concerning a Testament or Matrimony, or any Thing concerning or properly belonging to the Ecclesiastical Court, albeit the same shall be under Forty Shillings; any Thing before contained to the contrary in any wise notwithstanding.

VII. And be it enacted by the Authority aforesaid, That the said A^ct made in the First Year of the King's Majesty's Reign, be from the End of this Session of Parliament, for and concerning any Order to be made in the said Court of Requests after the End of this Session of Parliament utterly repealed.

[*So much of this A^ct as restrains the Jurisdiction of Court of Requests of London to Debts not exceeding Forty Shillings, repealed, 39 G. 40 G. 3. c. civ. § 1.; and Powers of this A^ct extended to 39 G. 40 G. 3. c. civ. see § 19 of that A^ct; and see 14 G. 2. c. 10.*]

C A P. XVI.

An A^ct for the Repeal of One A^ct made in the Fourteenth Year of Queen *Elizabeth's* Reign, concerning the Length of Kerfies.

14 Eliz. c. 10.

‘ **W**HEREAS in the Parliament holden at *Westminster* in the Fourteenth Year of the Reign of our late Sovereign Lady Queen *Elizabeth*, one A^ct, intituled, *An A^ct to reform the excessive Length of Kerfies*, was made, intending thereby to have restrained them to the Length of Eighteen Yards or under; immediately upon the making of which A^ct, by reason of the said Law, it hath since fallen out many Clothing Towns, as well within the County of *Southampton* as in divers other Counties within this Realm of *England*, who were then in Trade with Merchant Strangers and others using the Trade of transporting of Kerfies by way of Merchandize beyond the Seas, grew suddenly out of Trade and in great Decay, for that the said Merchants would no longer buy of the Clothiers any of their said Kerfies wanting their old accustomed Measure of Four and twenty Yards or thereabouts, they the said Merchants being by the like Custom and Usage in Trade with other Merchants for the said Kerfies of the said Measure and Length, to the great Impoverishment and Ruin of divers antient Towns, and of Thousands of poor People who were wont by them to be set on work and maintained, and to the great Loss of our said Sovereign

‘ Sovereign Lady Queen *Elizabeth*, and of the King’s Majesty
 ‘ that now is, in their Customs and Subsidies, which in and by
 ‘ the said former Venting and Trading of the said Kerfies, did
 ‘ and would continually accrue and grow due for the same :’

II. Be it therefore enacted by the Authority of this present
 Parliament, That the said Act of the Fourteenth Year of the Reign
 of our said late Sovereign Lady Queen *Elizabeth*, intituled, *An*
Act to reform the excessive Length of Kerfies, be from henceforth
 clearly and absolutely repealed.

14 Eliz. c. 10.
 repealed.

‘ The Length and Weight of ordinary Kerfies. Sorting Ker-
 ‘ fies. § 3. Exceeding in Length, or wanting in Weight.
 ‘ Penalty. § 4. The Custom and Subsidy for a Piece of Kerfie. § 5.
 [Sections 3, 4 & 5. repealed, 49 G. 3. c. 109. § 2.]

C A P. XVII.

An Act concerning *Welsh* Cottons.

‘ **W**HEREAS in a Statute made at the First Session of Par-
 ‘ liament holden at *Westminster* in the First Year of his
 ‘ Majesty’s Reign, amongst other Things it was provided and
 ‘ enacted, That no Person or Persons should incur any Penalty for
 ‘ want of Length, Breadth or Weight of *Welsh* Cottons under the
 ‘ Price of Fifteen pence the Yard, and Two Shillings the Goad,
 ‘ so as they be not mixed with Hair or other deceitful Stuff, nor
 ‘ for any other above that Price, except they be mixed as aforesaid,
 ‘ or shall shrink above Half a Yard in Twelve Yards at Length,
 ‘ or weigh less than Fourteen Ounces the Yard, and hold not full
 ‘ Three Quarters of a Yard broad, as by the same Statute ap-
 ‘ peareth; which Proviso in the Construction of divers Persons
 ‘ doth not preserve such as make or sell coarse *Welsh* Cottons,
 ‘ from the Penalty and Danger of not adding or affixing a Seal
 ‘ to contain the Length, Breadth or Weight of the said Cottons,
 ‘ which Affixion of a Seal is needless when there is no Length,
 ‘ Breadth or Weight prescribed for them; and moreover for
 ‘ that in all antecedent Ages the said Cottons being commonly
 ‘ used for Linings, were never seized as forfeited for want of
 ‘ the Seal of the Makers put unto them, nor used to be searched
 ‘ or tried by Water, but only by the Buyer :’ Be it therefore
 enacted by our Sovereign Lord the King, and by the Lords
 Spiritual and Temporal, and Commons, in this present Parliament
 assembled, and by the Authority of the same, That from hence-
 forth no Person or Persons shall incur any Penalty for want of any
 Content Seal to contain the Breadth, Length or Weight of any
Welsh Cottons; and that no *Welsh* Cottons shall at any Time or
 Times hereafter be searched or tried in the Water by any Person
 or Persons other than by the Buyer thereof, upon Pain to forfeit
 for every such Offence by the Party who shall make any such
 Search or Trial contrary to the Intent of this Statute, Five
 Pounds of lawful Money of *England*, the One Moiety thereof to
 the King’s Majesty, his Heirs and Successors, the other Moiety
 to the Party grieved, to be recovered by Action of Debt, Bill,
 Plaint or Information, wherein no Essoin, Protection or Wager
 of Law shall be allowed.

1 Jac. I. c. 28.
 § 28.

No Penalty for
 want of Seal to
 Welsh Cottons.

Welsh Cottons
 not to be searched
 or tried

C A P. XVIII.

An Act for the bringing in of a fresh Stream of running Water to the North Parts of the City of *London*.

‘ **F**OR that it is found very convenient and necessary to have a fresh Stream of running Water to be brought to the North Parts of the City of *London*, from the Springs of *Chadwel* and *Amwel*, and other Springs in the County of *Hertford* not far distant from the same, which upon view is found very feasible, and like to be profitable to many:’ It is therefore enacted by the King’s most Excellent Majesty, and by the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful to the Lord Mayor, Commonalty and Citizens of the City of *London*, and their Successors, at any time or times hereafter, to begin and continue the laying out of such convenient Limits of Ground for the making of the Trench for the said River at the Breadth of Ten Foot and not above, as to them and their Deputies and Workmen, with the Allowance of the Commissioners hereafter mentioned, or any Seven of them, shall be seen convenient and meet for the same; and in that Place that they shall find to be most apt and meet for that Purpose, to have and take for the Purpose abovesaid, the Use and Liberty of such and so much Ground as shall contain Ten Foot in Breadth and not above, during and by all the Length as the said new Channel, Cut or River, shall pass, for the conveying of the said Water from the said Springs to the City of *London*, leaving the Inheritance of the new Cut in the Owners thereof:

New Cut to convey Water from Chadwel and Amwel to London.

Mayor, &c. of London may make and maintain New Cut.

II. And that the said Mayor, Commonalty and Citizens of *London*, and their Successors for ever, for the Consideration hereafter expressed, shall have Liberty to dig the same Ground to be employed for the said River or New Cut, not exceeding Ten Foot in Breadth alongst all the said whole Length of the said River or New Cut, and from time to time for ever to maintain and preserve the same, and to lay the Earth there digged or to be digged on either Side of the same River or New Cut, in such Places as shall be thought meet for that Purpose, and to have free Passage to and from the said New Cut or River, with Men, Horses, Carts and Carriages at all Times convenient, and in Places convenient, for making of the same New Cut or Trench, and for the preserving of the same, and of the Banks thereof from time to time for ever, to the Intent that no Part of the said Stream be at any Time after the making of the New Cut, without the Consent of the Mayor, Commonalty and Citizens of *London*, turned or conveyed out of the same New Cut or Watercourse.

Satisfaction to Owners of Ground where New Cut made.

III. In Consideration whereof the Mayor, Commonalty and Citizens of *London*, and their Successors, shall make such Satisfaction or Composition to and with the Lords, Owners and Occupiers of the same Grounds through which the New Cut or River shall be made, and with all such Person and Persons as shall sustain any Damage, Loss or Hindrance in their Mills standing upon any of the Rivers or Streams from which the Water shall be taken through the said New Cut or River as shall be to the Contentment of the Lords, Owners and Occupiers of the said Grounds and Mills; and in Default of their Agreement by mutual

Assent,

Assent, such Satisfaction or Recompence as shall be limited and appointed by the Commissioners to be assigned for that Purpose, according to the Intent of this Statute, by the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, by Commission under the Great Seal of *England*, or by any Nine of them, whereof Four of them to be Citizens of the City of *London*.

IV. And for the better effecting of the Premises, and for the due rating of the Value of the Things to be compounded for by the true Intent of this Statute, (if the Parties shall not agree), Be it enacted by the Authority of this present Parliament, That at the Request and Charges of the Mayor, Commonalty and Citizens of *London*, Commission or Commissions under the Great Seal of *England*, shall be granted to such Persons as the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, shall nominate and appoint, whereof Four shall be of the County of *Middlesex*, Four of the County of *Essex*, and Four of the County of *Hertford*, and Four of the City of *London*, and every of them having Lands and Tenements of the clear yearly Value of Forty Pounds at the least; which Sixteen or any Nine of them, whereof Two to be of the City of *London*, shall have Power to order and set down what Rate or Rates, Sum or Sums of Money shall be paid by the Mayor, Commonalty and Citizens of *London*, to the Lords, Owners and Occupiers of the Grounds and Soil, and Mills, for which Composition is to be made by the Intent of this Act, if the Parties cannot of themselves agree, and in what Manner the same shall be paid; and that for the Recovery of such Money as shall be so ordered and set down by the said Commissioners, or any Nine of them, whereof Two to be of the City of *London*, the Party or Parties to whom the same Money shall be due to be paid by the true Intent of the said Order, shall or may recover the same against the said Mayor and Commonalty of *London*, by Action of Debt in any of his Majesty's Courts at *Westminster*, wherein no Essoin, Protection or Wager of Law shall be allowed.

Commissioners appointed.

Their Authority

V. Provided always, and be it enacted, That if in the New Cut there happen any Breaches, Inundations or Hurt, the Mayor, Commonalty and Citizens of *London*, shall from time to time stop the Breaches at their own Charges, and sufficiently maintain them from time to time, and make sufficient Recompence to the Party grieved for the Damage sustained by the same Breaches rising by their Default, to be recovered by Action of the Case grounded upon this Statute.

Breaches, &c. to be stopped by Mayor, &c.

VI. And be it further enacted by the Authority aforesaid, That the Mayor, Commonalty and Citizens of *London*, and their Successors for ever, shall make and maintain at their Costs and Charges from time to time, convenient Bridges and Ways for the Passage of the King's Subjects, and their Cattle and Carriages, over or through the said New Cut or River, in Places meet and convenient.

Bridges.

VII. And further be it enacted, That until or before a full Agreement with the Lords, Owners and Occupiers of the Premises be had, or that such Order and Means be devised and agreed upon by the Commissioners, by the Lord Chancellor or Lord Keeper of the Great Seal of *England*, to be nominated and

Owners of Ground to be agreed with.

appointed, or the more Part of them, as shall seem meet for the due effecting of the Premises, and the said Commission returned into the High Court of Chancery, it shall not be lawful to the said Lord Mayor, Commonalty and Citizens, to put the said Digging, Trenching or New Cutting of the said New River from the said Springs in Execution, nor to cut or take in any Ground for Passage of Water from the said Springs or any of them, by Force of this Statute; any Thing in this A& to the contrary notwithstanding.

New Cut sub-
ject to Com-
mission of Sewers.

VIII. And be it further enacted by the Authority aforesaid, That after such Time as there shall be a New Cut, Stream or River brought from the Springs aforesaid, or any of them, to the City of *London*, that for the better Maintenance and Preservation of the said River or New Cut, and of all the Water therein running, to be brought to the City of *London*, the same shall be subject to the Commission of Sewers, and to the Laws and Statutes made for Sewers, as fully to all Intents and Purposes as if the same River or New Cut had been expressly mentioned in the said Statutes of Sewers to be under the Survey of the said Commissioners.

Cleanfing, &c.
of New River at
Costs of Mayor,
&c.

IX. Provided nevertheless, and be it enacted, That all such Things as shall be done at any Time hereafter, for the Scowring, Cleanfing, Amending and Conservation of the said New River or Cut, shall be at the only Cost and Charges of the Mayor, Citizens and Commonalty of the City of *London*; and that all Fines and Amerciaments which shall be imposed by virtue of the said Commission of Sewers, for any wilful Annoyances and Offences which shall be at any Time hercafter committed to the Hurt or Prejudice of the said New River or Cut, or any Thing thereunto appertaining, shall be to the only Use, Benefit and Behoof of the said Mayor, Commonalty and Citizens of *London*, and of their Successors for ever.

[See 4 Jac. 1. c. 12. 12 G. 2. c. 32.]

C A P. XIX.

An A& for repairing of the Highway leading from *Nonfuch* to *Taleworth*, in the Parishes of *Exwell* and *Long Ditton*, in the County of *Surrey*, leading to *Kingston upon Thames*, in the County aforesaid.

[Continued until the End of the First Session of the next Parliament,
21 Jac. 1. c. 28. § 1. but now expired.]

C A P. XX.

An A& for clearing the Passage by Water from *London* to and beyond the City of *Oxford*.

[Repealed, 21 Jac. 1. c. 32. § 8.]

C A P. XXI.

An A& to restrain Abuses of Players.

Players, &c. pro-
phanely abusing
the Name of God.

FOR the preventing and avoiding of the great Abuse of the Holy Name of God in Stage Plays, Enterludes, May Games, Shews and such like; Be it enacted by our Sovereign Lord the King,

King's Majesty, and by the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That if at any time or times after the End of this present Session of Parliament, any Person or Persons do or shall in any Stage-play, Enterlude, Show, May-game or Pageant, jestingly or profanely speak or use the holy Name of God, or of Christ Jesus, or of the Holy Ghost, or of the Trinity, which are not to be spoken but with Fear and Reverence, shall forfeit for every such Offence by him or them committed Ten Pounds; the One Moiety thereof to the King's Majesty, his Heirs and Successors, the other Moiety thereof to him or them that will sue for the same in any Court of Record at *Westminster*, wherein no Essoin, Protection or Wager of Law shall be allowed. Penalty.

C A P. XXII.

An Act for paving of *Drury Lane*, and the Town of *St. Giles's in the Fields*, within the County of *Middlesex*.
EXP.

C A P. XXIII.

An Act for the new making up and keeping in Reparation of *Chepstow Bridge*, near the Town of *Upton upon Severn*. 18 Eliz. c. 12.
repealed.

C A P. XXIV.

An Act for the Re-edifying a Bridge over the River of *Severn*.
EXP.

C A P. XXV.

An Act for a Confirmation of the Subsidies granted by the Clergy. EXP.

C A P. XXVI.

An Act for the Grant of Three intire Subsidies and Six Fifteens and Tenths granted by the Temporality. EXP.

C A P. XXVII.

An Act for the King's most Gracious, General and Free Pardon.

Anno Regni JACOBI Regis, Angliæ, Scotiæ, Franciæ & Hiberniæ, viz. Angliæ, Franciæ & Hiberniæ, quarto, & Scotiæ quadragesimo. (A.D. 1606.)

† Sic.

STATUTES made in the Parliament begun and holden at Westminster by Prorogation the Eighteenth Day of November, in the Years of the Reign of our most gracious and excellent Sovereign Lord JAMES, by the Grace of God, of England, France and Ireland, King, Defender of the Faith, &c. viz. of England, France and Ireland, the Fourth, and of Scotland the Fortieth; and there continued until and † the Fourth Day of July then next following, and then prorogued until and on the Sixteenth Day of November next following.

C A P. I.

An Act for the utter Abolition of all Memory of Hostility, and the Dependances thereof, between *England* and *Scotland*, and for the repressing of Occasions of Discord and Disorders in Time to come.

4 H. 5. c. 7.

FOR the Honour, Weal and Good of these Two mighty, famous and ancient Kingdoms of *England* and *Scotland*, and for the Furtherance and Advancement of the happy Union already begun in his Majesty's Royal Person; Be it enacted by the King's most excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That one Act made in the Fourth Year of the Reign of King *Henry* the Fifth, whereby it is enacted, That Letters of Mart or Reprisal be granted against the People of *Scotland*, in case where the Subjects of *England* have been spoiled, and have complained, and not received Redress, shall, for so much thereof as so concerneth the People of *Scotland*, be utterly repealed and made void.

repealed.

33 H. 8. c. 6. § 23.

II. And also that one Proviso contained in an Act made in the Three and thirtieth Year of the Reign of King *Henry* the Eighth, by which Proviso the King's Majesty's Subjects inhabiting within Twelve Miles of the Borders of *Scotland*, are allowed and permitted to use Cross-bows, Hand-guns, Hackbuts or Demihakes, or to use and keep in his or their Houses, or elsewhere, any such Cross-bows, Hand-guns, Hackbuts and Demihakes, for so much of the said Proviso as so concerneth such as shall inhabit within Twelve Miles of the said late Borders, shall be utterly repealed and made void.

repealed.

7 R. 2. c. 16.

III. And be it further enacted by the Authority aforesaid, That these other Statutes hereafter following, that is to say, one Act made in the Seventh Year of the Reign of King *Richard* the Second, whereby it is enacted, That no Armour, Victual or other Refreshment be carried into *Scotland*, upon Pain of Seizure or Forfeiture;

IV. And

IV. And one other Act made in the One and thirtieth Year of 31 H. 6. c. 3.
of the Reign of King *Henry* the Sixth, whereby it is enacted,
That *March-Law* be not used out of the Circuit of the Counties
of *Northumberland, Cumberland and Westmorland*, or the Town of
Newcastle :

V. And one other Statute made in the Seventh Year of the 7 H. 7. c. 7.
Reign of King *Henry* the Seventh, whereby it is enacted, That
Scottishmen should avoid out of the Realm of *England* within a
Time prefixed :

VI. And one other Statute made in the Twenty third Year of 23 H. 8. c. 16.
the Reign of King *Henry* the Eighth ; and a like Statute made in
the First Year of the Reign of the late Queen *Elizabeth*, whereby
the conveying of Horses out of *England* into *Scotland* is made
Felony : 1 Eliz. c. 7.

VII. And one other Statute made in the Second and Third 2 & 3 P. & M. c. 1.
Years of the Reign of King *Philip* and Queen *Mary* :

VIII. And the like Statute made in the Twenty third Year 23 Eliz. c. 4.
of the Reign of the late Queen *Elizabeth*, whereby it is enacted, repealed.
That no Lands or Tenements be let to *Scottishmen* upon the Bor-
ders : Shall be utterly abrogated, repealed and made void : And
if there had appeared any other Statute of this Realm of *England*,
wherein any Thing is ordained, enacted or established, expressly
and by Name against *Scottishmen* as Enemies, or *Scotland* as an
Enemy-Country to the Kings of this Realm, or the State of the
same, we should for so much of them as had so concerned *Scot-*
tishmen or *Scotland*, have utterly abrogated and annulled the same ;
seeing all Enmity and Hostility of former Times between the Two
Kingdoms and People is now happily taken away, and under the
Government of his Majesty, as under one Parent and Head,
turned into Fraternity or Brotherly Friendship.

IX. Provided nevertheless, and be it enacted by the Authority When Repeal to
of this present Parliament, That none of the Articles, Branches take Effect.
or Clauses abovesaid, in this Act before contained and expressed,
shall take Effect or be in force, or in any wise be deemed and ex-
pounded to take Effect, or to be in force, to any Intent, Con-
struction or Purpose, until these Acts of Parliament of the Realm
of *Scotland* hereafter following ; that is to say, One Act made in
the Time of *James* the First, King of *Scotland*, by which it was
enacted, That all Persons remaining in *England* without the King's
Licence, did commit Treason :

X. One other Act made in the Time of the said King *James*
the First, whereby any Assurance with *Englishmen*, for taking
Protection from them for Lands or Goods, is Treason :

XI. One other Act in the same King's Time, inhibiting all
buying and selling of *English* Goods forbidden, under Pain of
Flechet :

XII. One other Act made in the Time of *James* the Second,
King of *Scotland*, That none should pass into *England* in Time of
War, without Licence, under Pain of Treason :

XIII. One other Act made in the Reign of the said King
James the Second, That no *Englishman* come into *Scotland* without
Conduct, and that no *Scottishman* sit under Assurance with them :

XIV. One other Act of the same King's Time, That no *Scot-*
tishman supply *Berwick* and *Roxburgh*, under Pain of Treason :

XV. One

XV. One other A&t made in the Time of the said King *James* the Second, That all Men be ready for Defence of the Realm against *England* :

XVI. Two A&ts made in the Time of *James* the Third, King of *Scotland*, for resisting King *Edward* the Fourth :

XVII. One other A&t made in the Time of the said King *James* the Third, concerning the upholding of *Berwick*, and Garrisons upon the Borders :

XVIII. One A&t made in the Reign of *Mary* late Queen of *Scotland*, by which it was enacted, That *Scottishmen* are charged to leave Assurances with *Englishmen* :

XIX. One other A&t made in the Time of the said Queen *Mary*, concerning assured *Scottishmen* assisting the *English* Army :

XX. One A&t made in the Parliament of *Scotland* in the Time of the most happy Reign of our most gracious Sovereign Lord the King that now is, containing, That the *Scottish* Borderers are discharged to marry *English* Borderers Daughters :

The Parliament
of Scotland shall
repeal all their
hostile Laws.

XXI. And lastly, one other A&t made in the Time of our said Sovereign Lord the King, injoining the Warden to put in a Bill the Names of all *Englishmen* that occupy Lands in *Scotland*, and seek Redress according to the Treaties, shall by A&t of Parliament of the said Realm of *Scotland*, be utterly repealed, frustrate and made void ; and until also the said Parliament of the Realm of *Scotland* shall by their said A&t make as full and ample Declaration concerning their clear Intention and Desire of Repeal of all other hostile Laws of their Part, not before mentioned, if they were known, as on the Part of this Realm of *England* hath been in this present A&t made and expressed.

5 R. 2. Stat. 1.
c. 2. repealed.

XXII. And be it further enacted by the Authority aforesaid, That one A&t made in the Fifth Year of King *Richard* the Second, concerning the Restraint of Passage of his Majesty's Subjects out of this Realm, and every Ordinance, Provision, Article or Clause therein contained, shall be from henceforth utterly repealed.

Proviso respect-
ing Wrongs done
before the Death
of Queen *Elis.*
&c.

XXIII. And be it further enacted by Authority of this present Parliament, That no Person or Persons whatsoever, Subject of either Realm, shall be punished, sued, delivered or demanded, or any way troubled, or called in question for Life, Member, Damage, Recompence, Restitutions or other Satisfaction whatsoever, for or by reason of any Offences, Spoils, Wrongs or Trespasses, (before the Decease of the said late Queen *Elizabeth* of famous Memory) which were determinable by the Laws or Constitutions of the Borders within the Courts and Jurisdictions of the late Wardens, or otherwise, which purported Actions of Hostility by Sea or Land, by him or them committed, or whereunto he or they were Accessaries before or after such Offence or Fact committed, or privy or aiding to the same, or for or in respect whereof he or they were or are Pledges, or otherwise by any Ways or Means whatsoever answerable or chargeable, or else stand charged or chargeable with any Promise, Contract, Bill, Bond, Bills filed, Sentence, Decree or other Assurances given or taken for the same only, or for so much only of such other Assurances as was given, or is in force for that Cause, and for no other.

XXIV. And

‘ XXIV. And forasmuch as no Abolition of Hostile Laws, or
 ‘ of the Memory of Hostility, or of Suits and Controversies there-
 ‘ upon depending, can presently and at once extirpate and reform
 ‘ those inveterate evil Customs and Disorders, as well of Feuds
 ‘ and Blood, as of Theft and Spoils, wherewith the worst Sort
 ‘ of Inhabitants, near the Limits of both Realms, were infected
 ‘ and inured, although by his Majesty’s incessant Care and princely
 ‘ Policy those Parts be already reduced to a more civil and
 ‘ peaceable Estate than could in so short Time have been expected :
 ‘ And whereas Experience teacheth, that the Malefactors of either
 ‘ Realm, having committed their Offences in the other Realm, do
 ‘ forthwith fly and escape many Times into their own Country,
 ‘ thereby to purchase their Impunity, to the great and manifest
 ‘ Grievances of the one Realm, and the Dishonour of the other :

‘ XXV. And whereas in regard of some Difference and
 ‘ Inequality in the Laws, Trials and Proceedings in Cases of Life,
 ‘ between the Justice of the Realm of *England*, and that of the
 ‘ Realm of *Scotland*, it appeareth to be most convenient for the
 ‘ Contentment and Satisfaction of all his Majesty’s Subjects, to
 ‘ proceed with all possible Severity against such Offenders in their
 ‘ own Country, according to the Laws of the same whereunto
 ‘ they are born and inheritable, and by and before the natural-
 ‘ born Subjects of the same Realm, if they shall be there ap-
 ‘ prehended :’

XXVI. Be it therefore enacted by the Authority aforesaid,
 That all Offences of Conjurings, Witchcraft, and dealing with
 evil and wicked Spirits, Murder, Manslaughter, felonious burning
 of Houses and Corn, Burglary, robbing of Houses by Day,
 Robbery, Theft, the detestable Vice of Buggery committed with
 Mankind or Beast, and Rape heretofore done and committed since
 his Majesty’s coming to the Crown of *England*, or hereafter to
 be done or committed by any of his Majesty’s natural born Sub-
 jects of this Realm of *England*, or the Dominions of the same,
 within the Realm of *Scotland*, or the Dominions thereof, and the
 Accessories of and to the same, shall be from henceforth enquired
 of, heard and determined before his Majesty’s Justices of Assise,
 or his Commissioners of *Oyer and Terminer*, or Gaol-delivery, being
 natural born Subjects within this Realm of *England*, and none
 other, by good and lawful Men of the Counties of *Cumberland*,
Northumberland, *Westmorland*, or any of the said Counties, at the
 Election of the said Justices of Assizes, or Commissioners, in like
 Manner and Form to all Intents and Purposes (the Alterations
 hereafter in this Act expressed only excepted) as if such Offences
 had been done and committed within the same Shire where they
 shall be so enquired of, heard and determined, as is aforesaid ; all
 which Trials for the better Discovery of the Truth, and for the
 better Information of the Consciences of the Jury and Justices,
 there shall be allowed unto the Party so arraigned, the Benefit of
 such Witnesses only to be examined upon Oath, that can be pro-
 duced for his better Clearing and Justification, as hereafter in this
 Act are permitted and allowed.

Trials of Felonies
 committed by
 Englishmen in
 Scotland.

Witnesses allowed
 to the Party
 arraigned.

XXVII. And be it further enacted by the Authority aforesaid,
 That every Justice of Peace of the Counties aforesaid, unto whom
 Complaint shall be made, shall have full Power and Authority, by
 virtue of this Act, to bind over by Recognizance in a convenient

Evidence.

Sum taken to his Majesty's Use, as well the Party prosecuting, as any Witnesses which he shall desire to produce (so as the said Witnesses may have their reasonable Charges first tendered unto them) to prosecute and give in Evidence before such his Majesty's Justices as aforesaid, as the Case shall require.

How Accessary
shall be tried,
though Principal
be not convicted
or attainted.

XXVIII. And be it further enacted by the Authority aforesaid, That every Commander, Procurer, Counsellor, Abettor, Comforter, Receiver or other Accessary of or to any of the Offenders or Offences aforesaid, so committed in *Scotland*, as aforesaid, offending within the Realms of *England* or *Scotland*, shall be proceeded withal, indicted, tried, judged and executed without Delay, notwithstanding the Principals or any of them be not convicted or attainted; and that no such Offender, either Accessary or Principal, shall be allowed the Benefit of his Clergy, nor admitted to his peremptory Challenge of above the Number of Five; and that every Indictment of any of the Offences aforesaid, so committed as aforesaid, shall be judged of as good Force in Law, notwithstanding the Words (*contra pacem, coronam & dignitatem nostras*) be omitted, as if the said Words had been therein contained.

Words, *contra*
pacem, &c.

Qualification of
Jurors.

XXIX. And be it further enacted, That no Sheriff, Under Sheriff or other Minister to whom it appertaineth, shall return any Juror to enquire of, or try any of the Offences aforesaid, so committed as aforesaid, except every such Juror shall have Freehold in Possession to the Value of Five Pounds by the Year, in the County where such Enquiry and Trial shall be; upon Pain to forfeit for every Juror that shall be returned contrary to this Act, the Sum of Forty Pounds, the one Moiety to the King's Majesty, his Heirs and Successors, the other to the Party that will sue for the same, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts at *Westminster*, wherein no Essoin, Protection or Wager of Law shall be allowed; and that the Offender shall and may challenge any Juror that shall pass upon his Life, for Want of such Freehold as aforesaid.

Penalty.

Challenge.

Englishman com-
mitting Felony in
Scotland.

XXX. Provided always, and be it enacted by the Authority aforesaid, That no natural Subject of his Majesty of the Realm of *England*, or of the Dominions of the same, shall, for any the Offences aforesaid committed within the Realm of *Scotland*, or for being accessary to the same, forfeit any Lands, Tenements or Hereditaments, either Free, Copy or Customary-hold, neither shall the Blood of such Offender be corrupted, nor the Wife lose her Dower, yet nevertheless the said Offenders shall forfeit to his Majesty, his Heirs and Successors, their Goods, Chattels and Credits whatsoever.

Aske Act in
Scotland.

XXXI. And forasmuch as it is intended, That an Act like unto this shall be ordained in the Realm of *Scotland*, for the Trial and Punishment of Offenders, being his Majesty's natural born Subjects of the same Realm, which shall commit any of the Offences aforesaid, within the Realm of *England*, or the Dominions thereof, and shall after escape or return back into *Scotland*:

Binding over to
give Evidence in
Scotland.

XXXII. Be it therefore enacted by the Authority aforesaid, That upon Complaint made by any his Majesty's Subjects of the Realm of *England*, to any of the Justices of Assize, Commissioners of *Oyer* and *Terminer*, or Gaol-delivery, or Justice of the Peace, within the Precincts of their several Commissions respec-

tively,

tively, being natural born Subjects within the Realm of *England*, concerning any such Offence committed by any of his Subjects of the Realm of *Scotland*, within the Realm of *England*, in case where the Offender is returned into the Realm of *Scotland*, as aforesaid, the said Justice or Commissioner shall have full Power and Authority to bind over as well the said Party complaining or prosecuting, as any Witnæsses that he shall desire to produce (so as their reasonable Charges be first tendered unto them), by Recognizance in a convenient Sum to his Majesty's Use, to prosecute and give in Evidence within the Realm of *Scotland*; wherein, if Default shall be made, and the same proved by Certificate, or otherwise, before the Lord Treasurer, Chancellor and Barons of the Exchequer, or any of them in the Exchequer Chamber, and a Decree there made that the same Recognizance shall stand forfeited, then the Court of Exchequer shall thereupon proceed for the levying of the Debt of the said Recognizance, as if it were adjudged forfeited by the Course of the Common Law.

XXXIII. And be it further enacted by the Authority aforesaid, That on the other Part, every of his Majesty's Subjects of the Realm of *Scotland*, either Party grieved, or Witness, which shall prosecute in any the Cases aforesaid within the Realm of *England* and thereby shall have Occasion to make his Repair hither, either voluntarily, or by the like Bond as is before expressed, on the Part of the Realm of *England*, shall have and enjoy Privilege and Immunity from all manner of Arrests, concerning all Offences, or other Causes, as well Capital as others, committed, done or occasioned, before he shall so come into *England* as aforesaid, (except Treason or wilful Murder) so long as he or they shall be necessarily going, coming or abiding within the said Realm of *England*, for the Prosecution of the said Offenders.

Scottishmen coming into *England* to give Evidence, free from Arrests.

XXXIV. Provided nevertheless, That every such Offence so committed, as aforesaid, shall be laid and alleged in the Indictment or other Declaration, to be done and committed in the Realm of *Scotland*, according to the Truth of the Fact, and not in the Counties where the Trial is limited to be had and made as aforesaid; any Thing in this Act formerly contained to the contrary notwithstanding.

How Offence to be alleged in Indictment.

XXXV. Provided also, and be it further enacted, That if any his Majesty's Subjects of the Realm of *Scotland* shall be proceeded with and tried in the Realm of *Scotland*, upon the Prosecution of any Party grieved, and upon Evidence in open Court for any Offence done or committed within the Realm of *England*, that no such Person shall be afterwards called in question, or proceeded with for the same Fact within the Realm of *England*, but that it shall be lawful for every such Person to plead or alledge for himself upon his Arraignment, that he was formerly lawfully acquitted, convicted or attainted of the same Offence within the Realm of *Scotland*, and that thereupon all further Proceeding shall stay, until the Court have sufficiently informed themselves by Certificate from the Realm of *Scotland*, or by any other good Ways and Means, of the Truth of the said Allegations; which if they shall find true, the said Person shall be forthwith discharged of all further Impeachment or Proceeding.

Proviso for Persons once tried.

XXXVI. And

No Englishman
shall be sent out
of England to
receive his Trial
in Scotland.

XXXVI. And be it further enacted by the Authority aforesaid, That no natural born Subject of the Realm of *England*, or the Dominions of the same, shall for any High Treason, Misprision or Concealment of High Treason, Petty Treason, or any other whatsoever Offence or Cause committed within *Scotland*, be sent out of *England*, where he is apprehended, to receive his Trial, until such Time as both Realms shall be made one in Laws and Government, which is the Thing so much desired, as that wherein the full Perfection of the blessed Union already begun in his Majesty's Royal Person consisteth. [See 7 Jac. 1. c. 1.]

Jurors may allow
or reject Wit-
nesses.

XXXVII. And because there is too great Reason to fear, that the Partiality and Corruptions of many that live in those Parts, through their long and evil Course of Life, cannot but produce much and frequent Perjury at such Trials, as aforesaid, if the Jury in their Proceeding do not use great Wisdom and Circumspection; in which Respect it is most just and necessary to provide as well that the Guilty shall not escape, as that the Innocent shall not be condemned: Be it therefore provided, and be it enacted by the Authority aforesaid, That at all such Trials, the Jurors then and there sworn, or the greater Part of them (who, in respect of the great Trust and Charge which must now be laid upon them, are by virtue of this Act, as before appeareth, to be Persons of better Condition and Quality than the Law required heretofore for Jurors in Trials of like Offences), shall have in their Power and Election, according to their Conscience and Discretion upon their Oaths, to receive and admit only such sufficient, good and lawful Witnesses upon their Oaths, either for or against the Party arraigned, as shall not appear to them, or the greater Part of them, to be unfit and unworthy to be Witnesses in that Case, either in regard of their Hatred and Malice, or their Favour and Affection, either to the Party prosecuting, or to the Party arraigned, or of their former evil Life and Conversation.

Peers.

XXXVIII. Provided also, and be it further enacted, That if the Offender in any the Cases aforesaid shall be a Peer of the Realm, then his Trial therein shall be by his Peers, as is used in Cases of Felony or Treason, and not otherwise.

[Enforced as therein mentioned, 13 & 14 Car. 2. c. 22. § 8.; and see Act of Union, 5 & 6 Ann. c. 8.]

C A P. II.

An Act for the true making of Woollen Cloths.

[Repealed, 49 G. 3. c. 109. § 1.]

C A P. III.

An Act to give Costs to the Defendant upon a Nonsuit of the Plaintiff, or upon a Verdict against him.

23 H. 8. c. 15. § 1.

WHEREAS in the Three and twentieth Year of the Reign of King *Henry* the Eighth of famous Memory a good and profitable Law was made, whereby it was enacted, That in Cases where the Plaintiff in any Action, Bill or Plaint of Debt, Trespass upon the Case, Detinue, Account, and in some other Actions therein especially mentioned, should become nonsuit, or a Verdict should be had against the said Plaintiff, that then in such Cases the Defendant should have Judgment to recover his

his Coſts againſt every ſuch Plaintiff, as by the ſaid Law appeareth; which Law hath been found to be very good and beneficial for the Commonwealth, and thereby many have been discouraged from bringing frivolous and unjuſt Suits, becauſe ſuch Parties are to make Recompence to the Parties unjuſtly vexed, for the ſaid unjuſt Vexations.

II. And forasmuch as Actions of Trefpaſs, and Actions of *Ejeſſione firmæ*, and many other Actions Real and Perſonal, are within the ſame Miſchief, as the ſaid other Actions were at the Common Law, and yet were omitted out of the Provision of the ſaid Law: For Remedy whereof, be it enacted by the King's moſt excellent Maſteſty, the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons, at any Time after the End of this preſent Seſſion of Parliament, ſhall commence or ſue in any Court of Record, or in any other Court, any Action, Bill or Plaint of Trefpaſs, or *Ejeſſione firmæ*, or any other Action whatſoever, wherein the Plaintiff or Demandant might have Coſts (if in caſe Judgment ſhould be given for him), and the Plaintiff or Plaintiffs, Demandant or Demandants, in any ſuch Action, Bill or Plaint, after Appearance of the Defendant or Defendants, be nonſuited, or that any Verdict happen to paſs by any lawful Trial againſt the Plaintiff or Plaintiffs, Demandant or Demandants, in any ſuch Action, Bill or Plaint, that then the Defendant and Defendants, in every ſuch Action, Bill or Plaint, ſhall have Judgment to recover his Coſts againſt every ſuch Plaintiff and Plaintiffs, Demandant and Demandants, to be aſſeſſed, taxed and levied in Manner and Form as Coſts in the ſaid recited Actions are to be aſſeſſed, taxed and levied in and by the ſaid Law of the Three and twentieth Year of King Henry the Eighth.

Cases wherein
Defendant ſhall
recover Coſts.

23 H. 8. c. 15.

C A P. IV.

An Act to reſtrain the Utterance of Beer and Ale to Alehouſe-keepers and Tiplers not licenſed.

FOR the better repreſſing of Alehouſes, whereof the Multitudes and Abuses have been and are found intolerable, and ſtill do and are like to increaſe; Be it enacted by the King's moſt excellent Maſteſty, and the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon or Perſons by himſelf, or by any other Ways or Means, directly or indirectly, ſhall at any Time after Three Months next after the End of this preſent Seſſion of Parliament, ſell, utter or deliver, or cauſe to be ſold, uttered or delivered, any Beer or Ale, to any Perſon or Perſons, or into the Houſe or Cellar of any Perſon or Perſons that then ſhall ſell or utter Beer or Ale as a common Tipler or Alehouſe-keeper, the ſame Perſon not having any Licence then in force to ſell Ale or Beer, other than for the convenient Uſe and Expence of his, her or their Houſhold only; upon Pain to forfeit for every Barreſ ſold, uttered or delivered contrary to the Form and true Meaning of this Act, the Sum of Six Shillings Eight pence, and ſo after that Rate for a greater or leſſer Quantity.

Selling Ale, &c.
to Alehouſe-
keeper not having
Licence.

Penalty.

II. And

Where Offences
determined.

II. And be it further enacted by the Authority aforesaid, That all Offences to be done or committed contrary to the true Meaning of this Act, and all Penalties aforesaid, shall be enquired of, sued for, heard and determined in the Sessions of the Peace for the County, City or Borough, Town or Liberty, or in the Court of Record of the City, Borough, Town or Liberty, wherein such Offence shall be committed, by Action of Debt, Information, Indictment or Presentment, wherein no Essoin, Protection or Wager of Law shall be allowed to the Defendant; and the One Half of all which Forfeitures shall be to the Use of the poor People inhabiting within the City, Borough, Hundred, Town or Liberty, where such Offences shall be committed from Time to Time, and the other Half thereof to him or them that will sue for the same.

How Penalties
applied.

III. And to the End that the said One Half of the said Forfeitures above limited to be to the Use of the said poor People, may be truly employed and bestowed upon them, according to the true meaning of this Act; Be it further enacted, That the Sheriff, Bailiff or other Officer or Person that shall levy or receive any Sum or Sums of Money forfeited and recovered according to the true meaning of this Act, shall and may by virtue of this Act, without further Warrant, deliver the One Half of the same Sum and Sums of Money, by him or them so levied and received, to some one or more of the Churchwardens and Overseers of the Poor of the same Parish, where the same Offence shall be committed, to be by them and every of them distributed and bestowed amongst the said poor People, according to the true meaning of this Act, who shall likewise have Authority by virtue of this Act to distribute and bestow the same accordingly.

Officer paying
Moiety of Pen-
alty, discharged.

IV. And be it further enacted, That every Sheriff, Bailiff and other Officer and Person which shall levy or receive any such Forfeiture or Forfeitures aforesaid, and shall pay over the Moiety and One Half thereof, according to the true meaning of this Act, shall be thereof discharged against the King's Majesty, his Heirs and Successors.

Not distributing
to Poor.

V. And be it further enacted, That if any Sheriff, Bailiff or other Officer or Person shall refuse to pay over the Moiety and One Half of the said Money by him or them levied or received, or that the said Churchwardens and Overseers, to whom the said Money shall be so paid, shall not, from time to time, within convenient Time, truly distribute and bestow the same to and amongst the poor People, according to the true meaning of this Act, that then every Person so offending shall forfeit double the Value thereof, to be recovered and employed as aforesaid.

Penalty.

C A P. V.

An Act for repressing the odious and loathsome Sin of Drunkenness.

“ WHEREAS the loathsome and odious Sin of Drunkenness
“ is of late grown into common Use within this Realm,
“ being the Root and Foundation of many other enormous Sins, as
“ Bloodshed, Stabbing, Murder, Swearing, Fornication, Adultery,
“ and such like, to the great Dishonour of God, and of our Nation,
“ the Overthrow of many good Arts and manual Trades, the dis-
“ abling

‘ abling of divers Workmen, and the general Impoverishing of
 ‘ many good Subjects, abusively wasting the good Creatures of
 ‘ God:’

II. Be it therefore enacted by the King’s most excellent Ma-
 jesty, the Lords Spiritual and Temporal, and Commons, in this
 present Parliament assembled, and by the Authority of the same,
 That all and every Person or Persons, which, after Forty Days
 next following the End of this present Session of Parliament,
 shall be drunk, and of the same Offence of Drunkenness shall be
 lawfully convicted, shall for every such Offence forfeit and lose
 Five Shillings of lawful Money of *England*, to be paid within
 One Week next after his, her or their Conviction thereof, to the
 Hands of the Churchwardens of that Parish where the Offence
 shall be committed, who shall be accountable therefore to the Use
 of the Poor of the same Parish; and if the said Person or Persons
 so convicted shall refuse or neglect to pay the said Forfeiture as
 aforesaid, then the same shall be from time to time levied of the
 Goods of every such Person or Persons so refusing or neglecting
 to pay the same, by Warrant or Precept from the same Court,
 Judge or Justices, before whom the same Conviction shall be;
 and if the Offender or Offenders be not able to pay the said Sum
 of Five Shillings, then the Offender or Offenders shall be com-
 mitted to the Stocks for every Offence, there to remain by the
 Space of Six Hours.

Drunkenness

Penalty.

Refusing or being
not able to pay.

Stocks.

III. And be it further enacted by the Authority aforesaid,
 That if any Constable, or any other inferior Officer of that
 Parish or Place where the Offence shall be committed, to whom
 that shall be given in Charge by the Precept of any Mayor, Bailiff
 or other Head Officer, or Justices of the Peace within their several
 Limits, do neglect the due Correction of the said Offender, or the
 due levying of the said Penalties, where Distress may be had; then
 every Person so offending shall forfeit the Sum of Ten Shillings of
 current Money of *England*, to the Use of the Poor of the same
 Parish or Place where the Offence shall be committed, to be levied
 by way of Distress, by any other Person or Persons having Warrant
 from any Mayor, Bailiff or other Head Officer, Justices of Peace,
 or Court, where any such Conviction shall be, and to be paid to
 the Churchwardens as before limited, who are also to account for
 the same to the Use aforesaid.

Constable, &c.
neglecting his
Duty.

Penalty.

IV. And be it further enacted by the Authority aforesaid,
 That if any Person or Persons within this Realm of *England*, or
 the Dominion of *Wales*, shall remain or continue drinking or tipling
 in any Inn, Viſtualling-house or Alehouse, being in the same City,
 Town, Village or Hamlet wherein the said Person or Persons (so
 remaining drinking or tipling) doth dwell and inhabit at the Time
 of such drinking and tipling; and the same being viewed and seen
 by any Mayor or other Head Officer, Justice or Justices of Peace
 within their several Limits, or duly proved in such Manner and
 Form as is limited in and by One Act of Parliament made in the
 First Session of this present Parliament, intituled, *An Act to restrain
 the inordinate haunting and tipling in Inns, Alehouses and other
 Viſtualling Houses*, unless it be in such Case or Cases as be tolerated
 or excepted in the said Act; that then every Person or Persons so
 offending shall forfeit and lose for every such Offence, the Sum of
 Three Shillings and Four pence of current Money of *England*,

Continuing
drinking in Ale-
house, &c.

1 Jac. 1. c. 9.

Penalty.

Distress.

the Use of the Poor of the Parish where the said Offence shall be committed, to be levied by way of Distress, in such Manner and Form as is before appointed by this Act, for the levying of the Penalty of Five Shillings for being drunk: And if it happen that any Offender or Offenders against the true Intent of this Clause or Branch, being thereof lawfully convicted, be not able to pay the said Forfeiture or Forfeitures, then it shall and may be lawful for any Mayor, Bailiff or other Head Officer, Justice or Justices of Peace, or Court, where any such Conviction shall be, to punish the said Offender or Offenders, by setting him, her or them in the Stocks for every such Offence, by the Space of Four Hours †.

Stocks.

† Sic.

Who shall enquire of and punish Offences.

V. For the more due Execution of this Statute, and for the better and more due Proceeding against such Offenders, all Offences of Drunkenness, and of Excess and unmeasurable Drinking, Be it further enacted by Authority of this present Parliament, That all the Offences in this Act, and in the said former Act mentioned, shall be from time to time diligently enquired of and presented before the Justices of Assizes in their Circuit, Justices of the Peace in their Quarter or Ordinary Sessions, and before the Mayors, Bailiffs or other Head Officers of every City or Town Corporate, who have Power to enquire of Trespasses, Riots, Routs, Forces and such like Offences, and in every Court-Leet, and thereupon such due Proceedings shall be against the Offender and Offenders for their due Conviction in that Behalf, as in such like Cases upon any Indictment or Presentment is used by the Laws of the Realm, or Customs of the City, Town or Place where such Presentment or Indictment shall be enquired of and found.

Second Offence.

VI. And it is further enacted by the Authority aforesaid, That if any Person or Persons, being once lawfully convicted of the said Offence of Drunkenness, shall after that be again lawfully convicted of the like Offence of Drunkenness, that then every Person and Persons so secondly convicted of the said Offence of Drunkenness, shall be bounden with Two Sureties to our Sovereign Lord the King's Majesty, his Heirs and Successors, in One Recognizance or Obligation of Ten Pounds, with Condition to be from thenceforth of good Behaviour.

Who shall present Offences.

VII. Be it further enacted by the Authority aforesaid, That all Constables, Churchwardens, Headboroughs, Tithingmen, Ale-conners and Sidemen, shall in their several Oaths incident to their several Offices, be charged in like Sort to present the Offences contrary to this Statute. [Enlarged, 21 Jac. 1. c. 7. § 5.]

Ecclesiastical Jurisdiction.

VIII. Provided always, That this Act, or any Thing therein contained, do not in any wise abridge or restrain the Ecclesiastical Power or Jurisdiction, but that all Ordinaries, and other Ecclesiastical Judges and Officers, shall and may proceed to enquire of, censure and punish all such Offenders according to the Ecclesiastical Laws of this Realm, in such Manner and Form as before they lawfully might do; any Thing in this Act to the contrary notwithstanding.

One Punishment for One Offence.

IX. Provided also, That when any of the Offenders against the true Intent of this Act, or any Branch or Article thereof, hath been once punished or corrected for his or her Offence, by any the Ways and Means before limited, that then the said Offender shall

not

not be afterwards punished or corrected for the same Offence by any other Ways or Means.

X. Provided always, That this Act, or any Thing therein contained, shall not be prejudicial to either of the Two Universities of this Land, but that the Chancellors, Masters and Scholars, and the Successors of them and either of them, may as fully use and enjoy all their Jurisdictions, Rights, Privileges and Charters, as heretofore they have or might have done; any Thing in this Act to the contrary notwithstanding. Proviso for Universities.

XI. Provided always, That no Person or Persons shall be punished, impeached or molested for any Offence mentioned in this Statute, unless he shall be for the same Offence presented, indicted or convicted within Six Months after such Offence committed: This Act to continue until the End of the First Session of the next Parliament. Limitation of Prosecutions.
Continuance.

[*Made perpetual, 21 Jac. 1. c. 7. § 1. but see 21 Jac. 1. c. 28. § 1. which only continues it to the End of the First Session of the next Parliament. Enforced as perpetual by 1 Car. 1. c. 4. And see, as to Alehouse-keepers, 7 Jac. 1. c. 10.*]

C A P. VI.

An Act for the repealing of so much of one Branch of a Statute made in the First Year of His Majesty's Reign, intituled, *An Act concerning Tanners, Curriers, Shoemakers and other Artificers occupying the Cutting of Leather*, as concerneth the sealing of Sheep-skins (a); and to avoid selling of tanned Leather by Weight.

(a) [*The whole Act repealed, 48 G. 3. c. 60. § 1.*]

WHEREAS by the same Statute it plainly appeareth, 1 Jac. 1. c. 22.
That the Intent and Meaning thereof was to make
void all former Statutes made concerning Tanners, Curriers,
Shoemakers and other Artificers occupying the Cutting of
Leather, and to comprehend in one Statute all Things mentioned
in the same former Laws needful to be enacted concerning Tan-
ners, Curriers, Shoemakers and other Artificers occupying the
Cutting of Leather: And for that in divers Branches of the
said late Statute touching the sealing of Leather, amongst
many other Kinds of tanned Leather therein particularly named
to be sealed, a Rate is set down to be paid for sealing of Sheep-
skins, as if Sheep-skins had been by the Intent of the former
Laws usually sealed; whereas in Truth Sheep-skins are not meet
to be sealed, nor were at any Time appointed or limited by any
former Law to be sealed, because the sealing of them is a fruitless
Charge, tending to the great Hurt and Loss of many thousand
poor Men, and for the good of none, but only for the Gain of
the Sealer thereof:

II. For Reformation whereof, Be it enacted by our Sovereign Lord the King's Majesty, and by the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Person or Persons shall at any Time hereafter incur any Penalty, Loss or Forfeiture, for housing, selling or buying of any tanned Sheep-skins unsearched or unsealed, so as the said Sheep-skins unsearched and unsealed shall be wrought No Penalty for housing, &c. Sheep-skins unsealed.

and converted into made Wares within this Realm of *England*; after 'Thing in the said Statute to the contrary notwithstanding.

1 Jac. I. c. 22.

Selling tanned
Leather by
Weight.

Penalty.

' III. And where since the making of the said Statute his Majesty's Subjects have been much deceived and abused, by ' selling of tanned Leather by Weight, the said Leather being ' neither sufficiently tanned, nor thoroughly dried as it ought to ' be, and before time was wont to be: Be it therefore further enacted by the Authority aforesaid, That no Person or Persons, after the End of this present Session of Parliament, shall utter or sell, or cause to be uttered or sold, by Weight, any Kind of tanned Leather whatsoever, upon Pain of Forfeiture of the said Leather so uttered and sold; the said Leather or the Value thereof, to be recovered in any of the King's Majesty's Courts of Record, by Action of Debt, Bill, Complaint or Information, wherein no Wager of Law, Effoin or Protection shall lie or be allowed: the one Moiety of the said Forfeiture to be unto the King our Sovereign Lord, his Heirs and Successors, and the other Moiety unto such Person or Persons as shall sue for the same.

C A P. VII.

An Act for the founding and incorporating of a Free Grammar School in the Town of *Northleech*, in the County of *Gloucester*.

C A P. VIII.

An Act touching the drowned Marshes of *Lefnes* and *Fants* in the County of *Kent*.

C A P. IX.

An Act to explain a former Act made in the last Session of this Parliament, intituled, *An Act to enable all His Majesty's loving Subjects of England and Wales to trade freely into the Dominions of Spain, Portugal and France*.

Letters Patent,
27 June, 2 Eliz.

' WHEREAS it pleased our late Sovereign Lady Queen Elizabeth of famous Memory, by her Highness Letters Patents under the Great Seal of *England*, bearing Date the Seventeenth Day of *June* in the Second Year of her Highness' Reign, (in Consideration of the good, true and faithful Obedience and Service done by the Mayor and principal Citizens of the City of *Exeter*, as well in the Time of King *Henry* the Seventh as of King *Edward* the Sixth, against divers Treasons and Rebellions moved and stirred in those Days, as also for the taking away, abolishing and removing of many and sundry Absurdities and Inconveniencies which within the said City and County did increase, by reason of the excessive Number of Artificers, and other inexpert, ignorant and unworthy Men, which did take upon them to use the Art, Science and Mystery of Merchandize and Traffick of Merchant Wares, to the great Detriment of the Commonwealth of this Realm of *England*, and to the manifest Impoverishment of the said City) to incorporate certain Merchants therein named, and their Successors, (being Citizens and Inhabitants of the said City and County) and to ' give

‘ give and grant unto them the perpetual Name of the Governor, ‘ Consuls and Society of the Merchant Adventurers of the City ‘ and County of *Exeter*, trafficking the Realm of *France* and the ‘ Dominions of the *French* King; which said Incorporation or ‘ Company of Merchants are found to be of great Use, Honour ‘ and Service to the State in general, as well in the Advancement ‘ of his Majesty’s Customs, as also for that the said Incorporation ‘ for the Space of Forty and five Years have relieved Twelve poor ‘ Men with Gowns, Money and other Necessaries, to their great ‘ Comfort, and do still yearly so apparel and comfort them, and ‘ by their said Charter they are bound to continue and keep the ‘ same for ever; and likewise they have and do not only charitably ‘ from time to time set up sundry young Merchants with the Loan ‘ of Money at their first Entrance into the Trade, but also have ‘ raised, and also do raise divers ancient Merchants, who by Losses ‘ at the Sea have been decayed, by means whereof they have proved ‘ afterwards profitable both to the King in Customs and other ‘ Payments, and good Members to the Commonwealth of the said ‘ City:

‘ II. And for that many particular Merchants of the said ‘ Corporation, have in the time of Dearth and Scarcity of Corn, ‘ adventured great Sums of Money out of their own private Stocks ‘ for Corn into foreign Kingdoms, for the Relief of the Poor, as ‘ well of the said City as of the County of *Devon*, to whom ‘ they have sold the same Corn in Time of great Dearth and Ne- ‘ cessity sometimes for Two Shillings Six pence, Three Shillings, ‘ and Three Shillings Four pence less in every Bushel than the ‘ Prices in the Markets have then been:

‘ III. And further, for that sundry Members of the said Incor- ‘ poration have by their Wills and Testaments given divers Sums ‘ of Money to the said Company to good Uses, which must re- ‘ turn to their Executors, if this Company be dissolved, as also ‘ for that the said Society hath, from the Beginning thereof, been ‘ ever found comfortable to all, and offensive to none; therefore ‘ whereas in the last Session of Parliament holden at *Westminster* ‘ in the Third Year of his Majesty’s Reign, one general Act was ‘ made, intituled, *An Act to enable all his Majesty’s loving Subjects* 3 Jac. I. c. 6.
‘ of England and Wales to trade freely into the Dominions of Spain, ‘ Portugal and France; the general Words of which Act may ‘ be objected and urged to extend to the annihilating and dissolv- ‘ ing of the said particular Charter and Company, contrary to ‘ the Meaning of this High Court of Parliament, and the Intent ‘ of the Makers of that Law, as is conceived by the Opinion of ‘ sundry learned in the Laws:’ May it therefore please your most ‘ excellent Majesty, with the Assent of the Lords Spiritual and ‘ Temporal, and the Commons, in this present Parliament assembled, ‘ that it may be enacted, explained and declared; and be it enacted, ‘ explained and declared, by the Authority of the same, That the ‘ said general Law so made as aforesaid neither doth nor shall dissolve, ‘ annihilate or impeach the said Charter, or the said Company, in ‘ any their Privileges, Liberties or Immunities granted unto them ‘ by the said Charter; any Thing in the foresaid general Act to ‘ contrary thereof in any wise notwithstanding.

Not to im-
the Lib-
grace
said

C A P. X.

An Act for Confirmation of some Part of a Charter granted by K. Henry the Sixth to the Mayor, Bailiffs and Burgeffes of the Town of *Southampton*, and for Relief of the said Town.

C A P. XI.

An Act for the better Provision of Meadow and Pasture for necessary Maintenance of Husbandry and Tillage in the Manors, Lordships and Parishes of *Marden*, alias *Mauwarden*, *Bodenham*, *Wellington*, *Sutton St. Michael*, *Sutton St. Nicholas*, *Murton upon Lug*, and the Parish of *Pipe*, and every of them, in the County of *Hereford*.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.]

C A P. XII.

An Act for Explanation of the Statute made in the Third Year of the Reign of King James, intituled, *An Act for the bringing in of a fresh Stream of running Water to the North Parts of the City of London*.

3 Jac. 1. c. 18.

WHEREAS of late, in the Parliament holden at *Westminster*, in the Third Year of the Reign of our Sovereign Lord King James, an Act was made for the bringing of a fresh Stream of running Water to the North Parts of the City of *London*, as by the same Act appeareth; Now, for that sithence the making of that Law, upon View of the Grounds through which the Waters are to pass, by Men of Skill, and upon advised Consideration of the Premises, it is thought more convenient and less Damage to the Ground, that the same running Water be brought and conveyed in and through a Trunk or Vault of Brick or Stone inclosed, and in some Places where Need is, raised upon Arches, than in an open Trench or Sewer, which Manner of Conveyance of the same Water in a Trunk or Vault of Brick or Stone, is doubtful whether by the Words of the former Law it may be lawfully effected by the Lord Mayor and Commonalty, and Citizens of the City of *London*, albeit they do duly perform every Part, Clause, Matter and Thing in the said Statute contained, which on their Part are by the true Intent of that Law to be performed.

II. For clearing of which Doubt, and plain Declaration of the true Meaning of the said Law, be it enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at any time or times after the laying out of such convenient Limits of Ground for the making of the Trench, or Conveyance of Water to the North Parts of the said City of *London*, at the Breadth of Ten Foot, and not above, as to the Mayor and Commonalty, and Citizens of the City of *London*, and their Deputies and Workmen, with the Allowance the Commissioners in the said former Act mentioned, or any of them, shall be seen convenient and meet for the same, that Place that they shall find to be most apt and meet for

for that Purpose, according to the true Intent of the said Statute, that the Mayor and Commonalty, and Citizens of the said City of *London*, and their Successors, Deputies and Workmen, for the Consideration in the said former A^ct expressed, shall have Liberty not only to dig the same Ground to be employed for the said River, or New Cut, as in the said former A^ct is expressed, but also in the same Place where they shall think most meet for the said New Cut, or Passage of Water, to frame, erect and make a Trunk or Vault of Brick or Stone for the Passage of the said Water to the North Parts of the said City of *London*, not exceeding Ten Foot in Breadth, in such Manner and Form to be laid in the Earth or upon Arches, as to the Mayor and Commonalty and Citizens of *London* shall seem meet; and from time to time for ever to maintain and preserve the same Trunk or Vault or Brick or Stone, and for that Purpose to have like Liberty and free Passage to and from the said Trunk or Vault of Brick or Stone, for making, erecting, maintaining and preserving thereof from time to time for ever, as they had or might have had by the Intent of the said former A^ct, to and from the said New Cut or River, with Men, Horses, Carts and Carriages, at all times convenient, and in Places convenient, for the making of the said New Cut or Trench, and for the preserving of the same from time to time for ever; any Thing in the said former Statute, or in any other Law or Statute to the contrary thereof in any wise notwithstanding.

C A P. XIII.

An A^ct for the Draining of certain Fens and Low Grounds in the *Isle of Ely*, subject to Hurt by surrounding, containing about Six thousand Acres, compassed about with certain Banks commonly called and named the Ring of *Waldersey* and *Coldham*.

[Confirmed, 15 Car. 2. c. 17. § 45.]

Anno Regni JACOBI Regis Angliæ, Scotiæ, Franciæ
& Hiberniæ, viz. Angliæ, Franciæ & Hiberniæ
septimo, & Scotiæ quadragesimo tertio.
(A.D. 1609.)

STATUTES made in the Parliament holden by Prorogation at Westminster the Ninth Day of February in the Years of the Reign of our most gracious and excellent Sovereign Lord JAMES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. viz. of England, France and Ireland the Seventh, and of Scotland the Three and fortieth; and there continued until the Three and twentieth Day of July then next following, and prorogued until and on the Sixteenth Day of October next following; viz.

C A P. I.

An Act for the better Execution of Justice, and suppressing of criminal Offenders in the North Parts of the Kingdom of England.

4 Jac. I. c. 1. § 36. **W**HEREAS in a Statute made in the Third Session of this present Parliament, intituled, *An Act for the utter Abolition of all Memory of Hostility, and the Dependencies thereof, between England and Scotland, and for the repressing of Occasions of Discords and Disorders in Time to come*, it was, amongst other Things, enacted, That no natural born Subject of the Realm of England, or the Dominions of the same, should for any High Treason, Misprision or Concealment of High Treason, Petty Treason, or any other whatsoever Offence or Cause committed within Scotland, be sent out of England where he is apprehended, to receive his Trial, until such Time as both Realms should be made one in Laws and Government, which is the Thing so much desired, as that wherein the full Perfection of the Blessed Union already begun in his Majesty's Royal Person consisteth.

II. Since the making of which Statute, although those Parts of the Kingdom of England, adjoining and lying near unto the Realm and Kingdom of Scotland, have been and are by his Majesty's incessant Care and Princely Policy, reduced to more civil and peaceable Estate than could in short Time have been expected or hoped for: Yet Experience teacheth, that Malefactors of either Realm having committed their Offences in the other Realm, do forthwith fly and escape into their own Country, thereby to purchase their Impunity, to the great and manifest Grievance of the one Realm, and the Dishonour of the other: By means whereof, very many great and heinous Offences since the making of the said Statute have been and are still likely to be committed without condign Punishment; for that since the making of the said Statute, there hath not been any one Offender committing any the Offences aforesaid in Scotland, that hath been

‘ been prosecuted to his Trial, Judgment or Execution in *England*,
 ‘ by reason or upon any the Branches, Laws or Ordinances in
 ‘ the said Statute mentioned or contained: Whereby it manifestly
 ‘ appeareth, that the said Clause in the said Statute contained,
 ‘ and before in this present Act expressly mentioned, concerning
 ‘ the not sending out of *England* any natural born Subject of this
 ‘ Realm or the Dominions of the same, for any whatsoever Offence
 ‘ committed within the Realm of *Scotland*, to receive his Trial for
 ‘ any the said Offences, hath not brought forth that good Effect
 ‘ as was hoped for, and by the said Law intended, to the great
 ‘ Prejudice and Dishonour of both Realms:’

III. For the preventing of which apparent and too manifest
 Mischief and Inconvenience, Be it enacted, and by the Authority
 of this present Parliament established, That if at any time or
 times after the End of this present Session of Parliament, any Per-
 son or Persons shall commit any Offence or Offences within the
 Realm of *Scotland*, which by the Laws of this Realm of *England*
 is, are or shall be declared or adjudged to be Petty Treason,
 Murder, Manslaughter, felonious burning of Houses and Corn,
 Burglary, robbing of Houses by Day, Robbery, Theft or Rape,
 and do or shall fly or escape into the Realm of *England*, and be
 or shall be apprehended within any the Counties of *Northumber-*
land, *Cumberland*, *Westmoreland*, or any Parts or Members of the
 same, or within the Parts or Places lying on the North Side of
 the River of *Tine*, commonly called or known by the Names of
Bedlingtonshire, *Norhamshire* and *Islandsbire*, the Town and County
 of *Newcastle* upon *Tine*, and the Town of *Berwick* upon *Tweed*,
 with the Bounds and Liberties thereof; that then it shall and may
 be lawful to and for the Justices of Assize, or any one of them
 in the Absence of the other, the Justices of Gaol-delivery at
 their Gaol-delivery, or any Four of them, or the Justices of Peace
 in their General or Quarter-Sessions, or any Four of them, upon
 due and mature Examination of the said Offence or Offences in
 open Sessions, and pregnant Proofs of the same, by Warrant under
 their Hands and Seals, to demand and send all and every such
 Offender and Offenders into the Realm of *Scotland*, there to
 receive their Trial for any the Offences aforesaid by them there
 committed; any Thing in the said Statute contained to the con-
 trary thereof notwithstanding.

If an Englishman
 shall commit
 Felony in *Scot-*
land, and then
 fly into *England*,
 in what Case
 Justices may send
 the Offender into
Scotland to be
 tried.

IV. This Law to continue to the End of the first Session of the
 next Parliament.

Continuance.

V. Provided nevertheless, and be it enacted by the Authority
 aforesaid, That this Statute, nor any Clause therein contained,
 shall take effect or be in force, or in any wise be deemed or ex-
 pounded to take effect, to any Intent, Construction or Purpose,
 until a Law by Act of Parliament be made and established with
 the Realm of *Scotland*, for the remanding and sending out of the
 Realm of *Scotland* into the Realm of *England*, all and every Person
 and Persons born within the Realm of *Scotland*, or the Dominions
 of the same, which shall at any time hereafter commit any the
 Offences aforesaid within the Realm of *England*, to receive his or
 their Trial in the Realm of *England*, for all and every the said
 Offences by them committed in the said Realm of *England*.

A like Act in
Scotland.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4. And see 13
 & 14 Car. 2. c. 22. § 8. 22 G. 3. c. 64.]

C A P. II.

An Act that all such as are to be naturalized, or restored in Blood, shall first receive the Sacrament of the Lord's Supper, and the Oath of Allegiance and the Oath of Supremacy.

[The Titles of cc. 1 & 2. are in great Part obliterated; but by the Commission, the Titles of those Chapters appear to be on the Roll as above.]

What they shall be bound unto who shall be naturalized or restored in Blood.

FORASMUCH as the naturalizing of Strangers, and restoring to Blood Persons attainted, have been ever reputed Matters of mere Grace and Favour, which are not fit to be bestowed upon any others than such as are of the Religion now established in this Realm; Be it therefore enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That no Person or Persons, of what Quality, Condition or Place soever, being of the Age of Eighteen Years or above, shall be naturalized or restored in Blood, unless the said Person or Persons have received the Sacrament of the Lord's Supper within one Month next before any Bill exhibited for that Purpose, and also shall take the Oath of Supremacy, and the Oath of Allegiance, in the Parliament House, before his or her Bill be twice read: And for the better effecting of the Premises, Be it further enacted by the Authority aforesaid, That the Lord Chancellor of England, or Lord Keeper of the Great Seal for the Time being, if the Bill begin in the Upper House, and the Speaker of the Commons House of Parliament for the Time being, if the Bill begin there, shall have Authority at all Times during the Session of Parliament, to minister such Oath and Oaths, and to such Person and Persons, as by the true Intent of this Statute is to be ministered. This Act to take place from and after the End of this present Session of Parliament.

[See 4 & 5 Ann. c. 1. 7 G. 2. c. 3. 4 G. 3. c. 4.]

C A P. III.

An Act for the continuing and better Maintenance of Husbandry and other manual Occupations, by the true Employment of Monies given and to be given for the binding out of Apprentices.

FORASMUCH as the true Labour and Exercise of Husbandry, and the bringing up of Apprentices of both Sexes in Trades and manual Occupations, are Things very profitable in the Commonwealth, and acceptable and pleasing unto Almighty God, there being already great Sums of Money freely given, and more in Time to come like to be given, by divers well disposed Persons, unto the Corporations of divers Cities, Boroughs, Towns Corporate, and unto divers Persons in sundry Towns not Corporate, and Parishes within this Realm of England, to be continually employed in the binding out as Apprentices, of a great Number of the poorest Sort of Children unto needful Trades and Occupations; the Experience whereof hath brought forth very great Profit and Commodity unto those Cities, Towns and Parishes where any Parts of the said Monies have been so given and employed, and so no Doubt there will consequently

ensue

‘ ensue thereof the exceeding good of the Commonwealth in
 ‘ general: And for that the most Part of the poorer Sorts of
 ‘ Children, would (as heretofore) without such good Care and
 ‘ Assistance be brought up in Idleness, and disordered Kinds of
 ‘ Life, to their utter Overthrow, and to the great Prejudice of
 ‘ the whole Commonwealth: And for that it is very likely that
 ‘ many other well disposed People will be the better encouraged,
 ‘ willingly to follow the like good Example in bestowing also
 ‘ good Sums of Monies to the same good and godly Purposes, if
 ‘ it might be so provided, that such Monies as have been already
 ‘ so freely given, or as hereafter shall be given, for the binding
 ‘ out of such poor Children Apprentices, may continually here-
 ‘ after remain, and be wholly employed accordingly :’

II. Be it therefore enacted by the King's most excellent Ma-
 jesty, the Lords Spiritual and Temporal, and the Commons, in
 this present Parliament assembled, and by the Authority of the
 same, That all Sums of Money so freely given at any Time within
 Three Years last past, or hereafter to be given by any Person or
 Persons, to be continually employed for the binding out of Ap-
 prentices as aforesaid, shall for ever from henceforth continue and
 be from time to time used and employed to such Uses, Intents
 and Purposes only, and by such Persons, and in such Manner and
 Form as shall be hereafter by this present Act specified and de-
 clared, except the same have been or shall be otherwise ordered or
 disposed by the Givers thereof; that is to say, that all Corpora-
 tions of all Cities, Boroughs and Towns Corporate, by what
 Name or Names soever they shall be known or incorporated, and
 in Towns and Parishes not incorporate, the Parson or Vicar of
 every such Town or Parish, together with the Constable or Con-
 stables, the Churchwarden or Churchwardens, Collectors, and the
 Overseers for the Poor for the Time being, or the most Part of
 them, where any such Sum or Sums of Money are already given,
 or shall be hereafter given, to be so employed, shall from time to
 time within the said several Cities, Boroughs, Towns and Parishes
 respectively, have the Nomination and placing of such Apprentices,
 and the guiding and Employment of all such Monies as have been
 heretofore so given, or which hereafter shall be given, to and for
 the continual binding forth of such and so many Apprentices, and
 in such Sort as is already, or shall hereafter be so given and ap-
 pointed, either by the last Will and Testament, or by any Writ-
 ing or Writings under the Hands and Seals of any Person or Per-
 sons which hath already, or hereafter shall so give any Sum or
 Sums of Monies unto the good and godly Purposes and Intents
 aforesaid: And if the Corporation of any such Cities, Boroughs
 or Towns Corporate, by what Name or Names soever they shall
 be called or incorporated, or any the Person or Persons in the other
 Towns and Parishes above mentioned, appointed by this Act to
 have continually the guiding and Employment of such Sums of
 Monies so already given, or hereafter to be given, to the Intents
 and Purposes aforesaid, shall, at any Time hereafter, wilfully for-
 bear or refuse, according to their Duties in this Behalf, to employ
 such Sums of Money so given or to be given as aforesaid, for the
 binding out of such Apprentices, by means of which wilful For-
 bearing or refusing, the said Money shall not be employed ac-
 cordingly; that then they and every of them so offending contrary
 to

How Money
 given for binding
 out poor Children
 Apprentices to
 be employed, and
 by whom.

Refusing to
 employ Money.

Penalty.

to this Act, shall forfeit for every such Offence, the Sum of Three Pounds Six Shillings and Eight Pence lawful *English* Money; the One Half thereof to be given to the Poor of the Town or Parish where such Fault or Offence shall be done or committed, the other Moiety to the Party that shall sue for the same; and that every Man that will, may and shall be admitted to sue for the same Moiety, for the Use and Benefit of the said Poor, and shall be also admitted to sue for the Forfeiture of the other Moiety, in any of the King's Majesty's Courts of Record, to his own Benefit and Behoof, by Action of Debt, Bill, Plaint or Information, wherein no Protection, Wager of Law or Essoin shall be admitted or allowed.

Party receiving Money bound with Sureties to repay it.

III. And for that all Monies so given may the better continue to and for the Purposes aforesaid, Be it enacted by the Authority aforesaid, That the Master, Mistress or Dame of every such Apprentice or Apprentices that shall receive any such Sum or Sums of Money as aforesaid, shall become bound with one or two sufficient Sureties, by Bond or Obligation in double the Sum which they and every of them shall so receive with such Apprentice or Apprentices as aforesaid, unto the Corporation of any such City or Town Corporate, by what Name or Names soever they shall be called or incorporated, or to such Person or Persons in the other Towns and Parishes not incorporated, appointed by this Act to have continually the guiding and Employment of all such Sums of Money so already given or hereafter to be given, to the Intents and Purposes aforesaid respectively, upon Condition to repay such Sum or Sums of Money, as he or she shall so receive with any such Apprentice or Apprentices, at the End of Seven Years next ensuing the Date of the said Obligation, or within Three Months next after the End of the said Seven Years: And if such Apprentice shall happen to die within the said Space of Seven Years, then within One Year after his or her said Death; and if the Master, Mistress or Dame, to whom any such Apprentice or Apprentices shall be bound, shall happen to die within the said Space of Seven Years, then within One Year next after his or her said Death; so as the said Monies may be again employed for placing such Apprentice with some other Person of the same Trade, to serve out the Residue of the Years of his or her former Apprenticeship, by the Discretion of the said Persons trusted as aforesaid.

Within what time Money to be put forth.

IV. And be it further enacted by the Authority aforesaid, That every such Sum or Sums of Money so given or to be given in Manner and Form, and to and for the good Uses and Intents aforesaid, shall always be put forth and employed by the Parties aforesaid that by this Act shall have the disposing and Employment thereof, within Three Months at the furthest, after such Money shall come to the Hands of the said Parties that by the Intent and true Meaning of this Act ought to dispose and employ the same; and if at such Times there shall not be found fit and apt Persons to be bound out Apprentices as aforesaid, within the said Cities, Towns and Parishes where such Sums of Money are or hereafter shall be given to be employed as afore is declared; then such of the poorest Children of any of the Parishes next adjoining shall be bound Apprentices in manner as aforesaid, as by the Care and good Discretions of the Parties which by this Act have the disposing

Provide where not fit Persons in Parish to be Apprentices.

posing and Employment of the said Sums of Money in the Cities, Towns and Parishes where it was first given to be employed, shall be thought fit and convenient, taking such Bonds and Obligations of the Persons that shall receive the said Sums of Money so put forth, and with such Sureties, and upon such Conditions, as is above mentioned and declared.

V. Provided always, and be it enacted by the Authority aforesaid, That Choice from Time to Time be made of the poorest Sorts of Children of every such City, Town and Parish, where such Monies shall be so given, and whose Parents are least able to relieve them: And that no such Apprentice shall be above the Age of Fifteen Years when he or she shall be so first bound out an Apprentice.

What Sort of
Persons shall be
Apprentices.

VI. And for the better Execution of this Act, Be it further enacted by the Authority aforesaid, That all and every Person and Persons appointed by this Act to have the employing and disposing of any Sum or Sums of Money so given or to be given as aforesaid, within any Town or Parish not corporate, shall, after the End of this present Session of Parliament, once every Year in the *Easter* Week, or within one Month next after *Easter* Day, make a true and perfect Account before Four, Three or Two Justices of the Peace, dwelling in or next to every of the said Towns or Parishes, of all such Sum and Sums of Money as they or any of them have employed in binding of Apprentices, by virtue of this Act, and of all Bonds and Obligations taken for the Payment thereof, and also of all such Sums of Money as then shall happen to be remaining in their Hands not employed: And also shall, at the making and yielding up of the said Account, or within Ten Days then next following, yield and deliver up unto such as shall happen next to succeed them, or then to be in the said Rooms and Places, all such Obligations and Bonds as by them or any of them have been before that time taken to the Uses aforesaid; as also all Sums of Money remaining in their or any of their Hands to be employed as aforesaid and not employed at the Time, of the yielding up of the said Account.

Account of Mo-
ney employed.

VII. And further be it enacted by the Authority aforesaid, That if any of the Parties appointed and trusted by this Act to have the disposing and Employment of any of the said Sums of Money so given or to be given as aforesaid, shall, in any Point or Degree, break the Trust and Confidence in them in this Behalf reposed, or shall commit any other Misdemeanor or Offence in misemploying of the said Sums of Money, or any Part thereof, or in doing any other Act or Acts contrary to their Duties, and the true Intent and Meaning of this Act, for which there is not by this Act any Penalty given or appointed, then it shall and may be lawful for any Person or Persons whatsoever, in the Behalf of the Poor of such City, Borough or Parish, to exhibit his Petition to the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, touching the same: Which Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being, shall thereupon have full Power and Authority to award a Commission out of the High Court of Chancery, under the Great Seal of *England*, to such and so many Persons as his Lordship shall think meet, to enquire, hear and determine the said Offences, and every of them: And if the said Commissioners or the most

Breach of Trust
&c.

Remedy.

Part

Part of them shall find, that any Sum or Sums of Money so given or to be given, are lost, impaired, wasted or diminished, then they or the most Part of them shall likewise have Power, by virtue of this Act and of their said Commission, to rate, raise and collect the said Sum of Money so lost, impaired, wasted or diminished, upon such Person or Persons in Places not incorporate, as by this Act are appointed to have the guiding and ordering of the said Monies, if they or any of them have failed in their said Duties in that Behalf, or otherwise upon the able Inhabitants of such City, Town or Parish, where the same shall so happen, as in the Discretion of the said Commissioners or the greatest Part of them shall be thought fittest, and to return the said Commission and the Manner of the Execution thereof, into the said High Court of Chancery, within Three Months next after the Execution thereof: And if any Person or Persons shall find himself grieved by any Thing done by the said Commissioners, then upon Complaint thereof made in the High Court of Chancery, the said Lord Chancellor or Lord Keeper for the Time being, shall have full Power and Authority to order and decree the same, as to his Lordship shall be thought most fit to stand with Equity and good Conscience.

Remedy.

C A P. IV.

An Act for the due Execution of divers Laws and Statutes heretofore made against Rogues, Vagabonds and sturdy Beggars, and other lewd and idle Persons.

‘ **W**HEREAS heretofore divers good and necessary Laws and Statutes have been made and provided for the Execution of Houses of Correction, for the suppressing and punishing of Rogues, Vagabonds and other idle, vagrant and disorderly Persons; which Laws have not wrought so good Effect as was expected, as well for that the said Houses of Correction have not been built according as was intended, as also for that the said Statutes have not been duly and severely put in Execution, as by the said Statutes were appointed:’ For Remedy whereof, Be it enacted and established by our Sovereign Lord the King’s Majesty, and by the Lords Spiritual and Temporal, and by the Commons, in this present Parliament assembled, and by the Authority of the same, That all Laws and Statutes now in force, made for the erecting and building of Houses of Correction, and for punishing of Rogues, Vagabonds and other wandering and idle Persons, shall be put in due Execution.

Former Laws.

House of Correction provided in every Shire.

II. And be it further enacted and established by the Authority aforesaid, That before the Feast of *Saint Michael* the Archangel, which shall be in the Year of our Lord God One thousand six hundred and eleven, there shall be erected, built or otherwise provided, within every County of this Realm of *England* and *Wales*, where there is not one House of Correction already built, purchased, provided or continued, one or more fit and convenient House or Houses of Correction, with convenient Back-side thereunto adjoining, together with Mills, Turns, Cards and such like necessary Implements, to set the said Rogues or such other idle Persons on work; the same Houses to be built, erected or provided in some convenient Place or Town in every County: Which

Which Houses shall be purchased, conveyed or assured unto such Person or Persons as by the Justices of Peace or the more Part of them, in their Quarter-Sessions of the Peace to be holden within every County of this Realm of *England* and *Wales*, upon Trust, to the Intent the same shall be used and employed for the keeping, correcting and setting to work of the said Rogues, Vagabonds, sturdy Beggars and other idle and disorderly Persons.

III. And be it further enacted by the Authority aforesaid, That if the said House so to be erected, purchased or provided, shall not be erected, built or otherwise provided before the Feast of *Saint Michael* the Archangel, which shall be in the Year One thousand six hundred and eleven next ensuing the last Day of this present Session of Parliament, that then every Justice of Peace within every County of this Realm of *England* and *Wales*, where such House and Backside shall not be erected or provided, shall forfeit for his said Neglect Five Pounds of lawful *English* Money; the one Moiety thereof to be unto him or them that will sue for the same by Action of Debt, Bill, Plaint or Information; in which Suit no Protection, Essoin or Wager of Law shall be admitted; and the other Moiety thereof to be employed and bestowed towards the erecting, building, procuring or providing the said House and Backside, and such necessary Implements as aforesaid. EXP.

If House of
Correction not
provided.

Penalty.

IV. And be it further enacted and established by the Authority aforesaid, That the Justices of Peace of every County within the Realm of *England* and *Wales*, at their Quarter-Sessions of the Peace to be holden for their several Counties, (next after the erecting, providing or building of the said House or Houses, and so from time to time), or the most Part of them, shall elect, nominate and appoint at their Will and Pleasure, one or more honest fit Person or Persons, to be Governor or Master of the said House or Houses so to be purchased, erected, built or provided: Which Person and Persons so chosen by virtue of this present Act, shall have Power and Authority to set such Rogues, Vagabonds, idle and disorderly Persons, as shall be brought or sent unto the said House, to work and labour (being able) from time to time, for such time as they shall continue and be remaining in the said House of Correction, and to punish the said Rogues, Vagabonds, idle and disorderly Persons, by putting Fetters or Givies upon them, and by moderate whipping of them: And that the said Rogues, Vagabonds and idle Persons, during such time as they shall continue and remain in the said House of Correction, shall in no Sort be chargeable to the Country for any Allowance, either at their bringing in or going forth, or during the time of their Abode there, but shall have such and so much Allowance as they shall deserve by their own Labour and Work.

Governor ap-
pointed.

His Authority.

Rogues not to
be chargeable to
the Country.

V. And be it further enacted by the Authority aforesaid, That the said Justices of Peace of every County, within every of their several Divisions, twice in every Year at the least, and oftener, if there be Occasion, shall assemble and meet together for the better Execution of this Statute; and that some Four or Five Days before their Assembly and Meeting, the said Justices or the more Part of them shall by their Warrant command the Constables and Tithingmen of every Hundred, Town, Parish, Village and Hamlet, within their said several Divisions, which shall be assisted with sufficient Men of the same Places, to make a general privy Search

General privy
Search.

in one Night within their said Hundreds, Towns, Villages and Hamlets, for the finding out and apprehending of the said Rogues, Vagabonds, wandering and idle Persons; and that such Rogues, Vagabonds, wandering and idle Persons, as they shall then find and apprehend in the said Search, shall by them be brought before the said Justices at their said Assembly or Meeting, there to be examined of their idle and wandering Life, there to be punished, or otherwise by their Warrant to be sent or conveyed unto the said House or Houses of Correction within the said County appointed and prefixed there, to be delivered to the Master or Governor of the said House, or to his Deputy or Assignee, to be set to Labour and Work: At which Days and Times of Assembly and Meeting so to be held by the said Justices of Peace, the Constables and Tithingmen of every Hundred, Parish, Town, Village and Hamlet, shall then appear in every their several Divisions, before the said Justices of Peace, at the said Assemblies or Meetings, and there shall give Account and Reckoning upon Oath in Writing, and under the Hand of the Minister of every Parish, what Rogues, Vagabonds and wandering and disorderly Persons they have apprehended, both in the same Search, and also between every such Assemblies and Meetings, and how many have been by them punished or otherwise sent unto the Houses of Correction: Which if the said Constables or Tithingmen shall neglect to perform, as also to convey safely all such Rogues, with all other idle and disorderly Persons, at the Charge of the Hundred, as by the Justices of Peace their Warrants shall be sent unto the Houses of Correction in the same County; that then they shall forfeit such further Fines, Pains and Penalties, as by the said Justices of Peace or the most Part of them shall be thought fit and convenient, not exceeding the Sum of Forty Shillings for every Offence.

[*This Section as to privy Search is repealed, 12 Ann. Stat. 2. c. 23. § 8. See Note to that Act.*]

The Constables
Account of
Vagabonds
apprehended.

Penalty.

The Governor's
Allowance for
his Pains and
Maintenance.

‘ VI. And for that it is convenient that the Masters or Governors of the said Houses of Correction should have some fit Allowance and Maintenance for their Travel and Care to be had in the said Service; as also for the relieving of such as shall happen to be weak and sick in their Custody, and that the Subjects of this Realm should in no sort be over-charged, to raise up Money for Stocks to set such on Work as shall be committed to their Custody;’ Be it therefore enacted, and established by the Authority of this present Parliament, That the Masters or Governors of the said Houses of Correction shall have such Sums of Money yearly, as shall be thought meet by the most Part of the Justices of Peace within the said County at the Quarter-Sessions of the Peace, the same to be paid quarterly before-hand by the Treasurers appointed by one Act made in the Three and fortieth Year of the late Queen Elizabeth, intituled, *An Act for the Relief of the Poor*, during the time they the said Masters and Governors shall be employed in the said Service, (the said Master or Governor giving sufficient Security for the Continuance and Performance of the said Service), which if the said Treasurer shall neglect or refuse to perform, that then the said Master or Governor of the House of Correction shall have Authority by this present Act to levy the same, or so much thereof as shall be unpaid, upon the said Treasurer's Account, in such Manner and Form as by the said

43 Eliz. c. 2.

Not paid.

Proceeding.

said Statute they the said Treasurers are appointed and authorized to levy the weekly Sum or Payment being to them unpaid.

‘VII. And because great Charge ariseth upon many Places within this Realm by reason of Bastardy, besides the great Dishonour of Almighty God,’ Be it therefore enacted by the Authority aforesaid, That every lewd Woman, which after this present Session of Parliament shall have any Bastard which may be chargeable to the Parish, the Justices of Peace shall commit such lewd Woman to the House of Correction, there to be punished and set on work, during the Term of one whole Year; and if she shall afterwards offend again, that then to be committed to the said House of Correction as aforesaid, and there to remain until she can put in good Sureties for her good Behaviour, not to offend so again. [Repealed, and other Provisions, 50 G. 3. c. 51.]

The Punishment
of lewd Women
who have
Bastards.

‘VIII. And for that many wilful People finding that they, having Children, have some Hope to have Relief from the Parish wherein they dwell, and being able to labour, and thereby to relieve themselves and their Families, do nevertheless run away out of their Parishes, and leave their Families upon the Parish;’ For Remedy whereof, Be it further enacted by this present Parliament, and the Authority of the same, That all such Persons so running away shall be taken and deemed to be incorrigible Rogues, and endure the Pain of incorrigible Rogues: And if either such Man or Woman being able to work, and shall threaten to run away and leave their Families as aforesaid, the same being proved by Two sufficient Witnesses upon Oath, before Two Justices of Peace in that Division; that then the said Persons so threatening shall, by the said Justices of Peace, be sent to the Houses of Correction, (unless he or she can put in sufficient Sureties for the Discharge of the Parish), there to be dealt with and detained as a sturdy and wandering Rogue, and to be delivered at the said Assembly or Meeting, or at the Quarter-Sessions, and not otherwise. [See further, 5 G. 1. c. 8.

Running away
and leaving
Children to
Parish.

17 G. 3. c. 5. § 1, 2.]

‘IX. And because there shall be the more Care taken by all such Masters of the Houses of Correction, that when the Country hath been at Trouble and Charge to bring all such disorderly Persons, as aforesaid, to their safe keeping, that then they shall perform their Duties in that Behalf,’ Be it therefore enacted by the Authority aforesaid, That if they shall not every Quarter-Sessions yield a true and lawful Account unto the Justices of Peace of all such Persons as have been committed to their Custody, or if the said Persons committed to their Custody, or any of them, shall be troublesome unto the Country, by going abroad, or otherwise shall escape away from the said House of Correction before they shall be from thence lawfully delivered; that then the said Justices shall set down such Fines and Penalties upon the said Master and Governors, as the most Part of them in their Quarter-Sessions shall think fit and convenient; and all Fines and Penalties not hereinbefore limited shall be paid unto the Treasurer, and accounted for by the Treasurer aforesaid. This Act to have Continuance for the Space of Seven Years, and from thence to the End of the next Session of Parliament after the said Seven Years.

Governors to
account to Jus-
tices for Persons
committed to
their Custody.

Continuance of
Act.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.]

C A P. V.

An Act for Ease in pleading against troublesome and contentious Suits prosecuted against Justices of the Peace, Mayors, Constables, and certain other His Majesty's Officers, for the lawful Execution of their Office.

• **F**OR Ease in pleading against many causeless and contentious Suits which have been, and daily are commenced and prosecuted against Justices of Peace, Mayors or Bailiffs of Cities and Towns Corporate, Headboroughs, Port-Reves, Constables, Tithingmen, Collectors of Subsidies and Fifteens, who, for due Execution of their Office, have been troubled and molested, and still are like to be troubled and molested, by evil disposed contentious Persons, to their great Charge and Discouragement in doing of their Offices: Be it therefore enacted by our Sovereign Lord the King, and by the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Action, Bill, Plaint or Suit, upon the Case, Trespass, Battery or false Imprisonment, shall be brought after Forty Days next after the End of this Session of Parliament, in any of His Majesty's Courts at *Westminster* or elsewhere, against any Justice of Peace, Mayor or Bailiff of City or Town Corporate, Headborough, Port-Reve, Constable, Tithingman, Collector of Subsidy or Fifteens, for or concerning any Matter, Cause or Thing, by them or any of them done by virtue or reason of their or any of their Office or Offices, that it shall be lawful to and for every such Justice of the Peace, Mayor, Bailiff, Constable or other Officer or Officers before named, and all others which in their Aid or Assistance, or by their Commandment, shall do any Thing touching or concerning his or their Office or Offices, to plead the General Issue, that he or they are not guilty, and to give such special Matter in Evidence to the Jury which shall try the same, which special Matter being pleaded had been a good and sufficient Matter in Law to have discharged the said Defendant or Defendants of the Trespass, or other Matter laid to his or their Charge: And that if the Verdict shall pass with the said Defendant or Defendants in any such Action, or the Plaintiff or Plaintiffs therein become nonsuit, or suffer any Discontinuance thereof, that in every such Case the Justices or Justice, or such other Judge before whom the said Matter shall be tried, shall, by force and virtue of this Act, allow unto the Defendant or Defendants his or their double Costs, which he or they shall have sustained by reason of their wrongful Vexation in Defence of the said Action or Suit; for which the said Defendant or Defendants shall have like Remedy as in other Cases where Costs by the Laws of this Realm are given to the Defendants. And this Act to continue for Seven Years, and from thence to the End of the next Parliament after the said Seven Years.

General Issue.

Defendant
allowed double
Costs.

Continuance of
Act.

[*This Statute is enlarged, and made perpetual, 21 Jac. 1. c. 12. ; but see 21 Jac. 1. c. 28. § 1. which only continues it to the End of the first Session of the next Parliament. Churchwardens and Overseers of the Poor within the Purview of this Statute, 21 Jac. 1. c. 12. § 3. ; and how Alien to be laid, 21 Jac. 1. c. 12. § 5.]*

C A P. VI.

An Act for administerring the Oath of Allegiance, and Reformation of married Women Recusants.

WHEREAS by a Statute made in the Third Year of your Majesty's Reign, intituled, *An Act for the better discovering and repressing of Popish Recusants*, the Form of an Oath to be ministered and given to certain Persons in the same Act mentioned is limited and prescribed (a), tending only to the Declaration of such Duty as every true and well affected Subject, not only by Bond of Allegiance, but also by the Commandment of Almighty God, ought to bear your Majesty, your Heirs and Successors: Which Oath such as are infected with Popish Superstition do oppugne with many false and unsound Arguments, the just Defence whereof your Majesty hath heretofore undertaken and worthily performed, to the great Contentment of all your loving Subjects, notwithstanding the Gain-sayings of contentious Adversaries.' (a) [*Repealed, 1 W. & M. Seff. 1. c. 8. § 2.*]

II. And to shew how greatly your loyal Subjects do approve the said Oath; they prostrate themselves at your Majesty's Feet, beseeching your Majesty that the same Oath may be administerrd to all your Subjects: To which End we with all humbleness beseech your Highness that it may be enacted and be it enacted, by the Authority of this present Parliament, That all and every Person and Persons, as well Ecclesiastical as Temporal, of what Estate, Dignity, Preheminence, Sex, Quality or Degree soever he, she or they be, or shall be, above the Age of Eighteen Years, being hereafter in this Act mentioned and intended, shall make, take and receive a corporal Oath upon the Evangelists, according to the Tenor and Effect of the said Oath set forth in the said fore-mentioned Statute, before such Person or Persons as hereafter in this Act is expressed; that is to say, all and every Archbishop and Bishop that now is or hereafter shall be, before the Lord Chancellor or Lord Keeper of the Great Seal for the time being.

What Persons to take the Oath.

Before whom.

[See Note to § 1.]
III. And all and every Ecclesiastical Judge, Officer and Minister, of what Estate, Dignity, Preheminence or Degree soever he or they be or shall be, before the Archbishop of the Province, or Bishop, or other Ordinary of the Diocese for the Time being, wherein such Ecclesiastical Judge, Officer or Minister ought to exercise his said Office, Place or Function.

Archbishops, &c.

IV. And all and every Person and Persons of or above the Degree of a Baron of Parliament, or Baroness of this your Highness Realm of England, and all of your Highness Privy Council residing in London or Westminster, or within Thirty Miles thereof, and the Presidents of Wales and the North Parts, before any Four of your Highness Privy Council, whereof the Lord Chancellor, Lord Treasurer, Lord Privy Seal or Principal Secretary for the Time being, to be one: And if such Person or Persons live and reside in the Country, distant above Thirty Miles from London, then before the Lord Bishop of the Diocese, or such other Person or Persons as the Lord Chancellor or Lord Keeper of the Great Seal for the Time being shall thereto by Writ of *Dedimus potestatem* authorize.

Peers, &c.

Sworn Servants
of the King, &c.

V. And all and every the sworn Servants, ordinary and extraordinary, of your Highness, the Queen's Grace, or of the Household of the Prince of *Wales*, and of the rest of your Highness Children, before the Lord Steward, the Lord Chamberlains and Vice-Chamberlains to your Highness and the Queen, the Treasurer and Comptroller of your Highness Household, the Master of your Highness Horse, the Dean of the Chapel, and the Knight-Marshal for the Time being, the Officers of the Green-Cloth, or any Three of them.

Judges, &c.

VI. All and every Temporal Judge, Justices of Peace, Sheriffs, Escheators, Feodaries, and other Officers and Ministers of Justice in this present Act not specially mentioned, and every other Person or Persons that doth or shall receive any Fee of your Highness, your Heirs and Successors, before the Lord Chancellor or Lord Keeper of the Great Seal, Lord Treasurer, Lord Admiral, Lord Warden of the Five Ports, for the Time being, or one of them, or before one of the Chief Justices of either of your Majesty's Bench, or of the Common Pleas, or before the Justices of Assize of the same County where the Parties reside, or other such Persons as the Lord Chancellor or Keeper of the said Great Seal shall thereunto authorize.

Mayors, &c.

VII. And all Mayors, Bailiffs or other Chief Officers of Cities and Towns Corporate, by what Name soever they be called or known, before such Person or Persons as usually administer the Oath to them at their first Entrance into their said Offices.

Members of
Parliament.

VIII. And all and every the Knights, Citizens, Burgeesses and Barons of the Five Ports of the Commons House of Parliament, at any Parliament or Session of Parliament hereafter to be assembled, before he or they shall be permitted to enter into the said House, before the Lord Steward for the time being, or his Deputy or Deputies: And the Master of the Ordnance, Lieutenant of the Tower of *London*, and Mint-Master there, the Four principal Officers of your Navy under the Lord Admiral, before the Lord Chancellor or Lord Keeper of the Great Seal, and the Lord Admiral for the Time being, or any of them.

Officers in the
Tower.

IX. And all the Officers, Ministers, Servants and others, within your said Tower of *London*, before the Lieutenant of the Tower.

Officers, &c. in
Navy.

X. And all the Vice-Admirals, Captains, Masters, Officers, Ministers and Soldiers in your Highness Ships, or any of them, before the said Four principal Officers of your Navy, or any Two of them.

Captains of
Castles, &c.

XI. And all Persons having Charge of Castles, Fortresses, Block-houses or Garrisons, and all Captains, who shall have Charge of Soldiers, within this your Highness Realm, before the Justices of Assize of the same County, or before Two Justices of the Peace of the same County, City or Liberty, where the same Castles, Fortresses or Block-houses shall stand, or the Charge of Soldiers shall be.

Advocates, &c.

XII. All Doctors, Advocates and Proctors of the Civil Law, and their Clerks, before the Bishop of the Diocese where they shall for the most Part dwell or reside.

Suers of Livery.

XIII. And all and every Person or Persons Temporal that hereafter shall sue Livery or *Ouster le main* out of the Hands of your Highness, your Heirs or Successors, before his or their *Ouster*

la main sued forth and allowed, before the Master of the Wards and Liveries, or before the Surveyor and Attorney of your Highness said Court, in open Court. [Ouster le main taken away, 12 Car. 2. c. 24. § 1.]

XIV. All the Serjeants at Law, Servants to the Judges in your Highness Courts at *Westminster*, and all other in the Serjeants Inns, before the Chief Justice of your Majesty's Bench, the Chief Justice of the Common Pleas, and the Chief Baron of your Exchequer, or some or one of them. Serjeants at Law, &c.

XV. All your Highness Subjects in the Inns of Court, or that hereafter shall be admitted thereunto, and the Principals and Treasurers of every Inn of Chancery, before the Readers and Teachers of the several Houses whereto they belong, or Four of them at the least, in their open Halls. Gentlemen of Inns of Court, &c.

XVI. All other your Majesty's Subjects, as well Ancients as others, not being Principal or Treasurer, that now are or hereafter shall be admitted into any Inn of Chancery, before the Principal or Treasurer, and Ancients of the several Inns of Chancery, or Four of them, in their open Halls. Inns of Chancery.

XVII. All Prothonotaries, Philizers, Officers, Ministers, Attornies and Clerks, that now are or hereafter shall be admitted to write or practise in any of your Highness Courts at *Westminster*, or in any other Court of Record, before the Judge or Judges of the same Court. Prothonotaries, &c.

XVIII. All Clerks of the Chancery, and all their Under Clerks, and all other Officers of the said Court of Chancery, and their Clerks, before the Master of the Rolls for the time being, or before Two of the Masters of the said Court of Chancery. Clerks, &c. in Chancery.

XIX. And all Parsons, Vicars and Curates, and all other Persons Ecclesiastical taking Orders, and all and every School-Masters and Usher, before the Bishop of the Diocese, or other Ordinary in the same, sitting in open Court. Parsons, &c.

XX. The Vice-Chancellors of both the Universities for the time being, and the Presidents, Wardens, Provosts, Masters of Colleges and Halls, and all other Heads and Principals of Houses, Proctors and Beadles of the Universities, publicly in the Convocation, before the senior Masters there present. Vice-Chancellors in Universities, &c.

XXI. And all and every other Persons whatsoever, that is or shall be promoted to any Degree in School, before the Vice-Chancellor of the said University for the Time being, in the Convocation-House. Persons taking Degrees.

XXII. All Fellows of Houses, and all Scholars of Halls or Colleges, that now are or hereafter shall be received into the same, being under the Degree of a Baron, before the President, Master, Provost, Warden or other Head or Chief Governor of that College, Hall or House, wherunto he shall be received, and in the open Hall. Fellows, &c. in Colleges.

XXIII. And all Doctors of Physick, and all other who practise Physick, that now are or hereafter shall be admitted into the College of Physicians in *London*, before the President of the same College for the time being. Doctors, &c. of Physick.

XXIV. And all Aldermen, Sheriffs and Under Officers whatsoever, of the Cities and Towns Corporate, and all such as hereafter shall be made Freemen of the said City or Town Corporate, before Aldermen, &c.

before the Mayor, Bailiffs or other Chief Officer of the said City or Town, in the open Hall.

When Oath to
be taken.

XXV. And to the Intent that due Execution may be had of the Premises without Delay, it is further enacted by the Authority aforesaid, That all the Persons before named who have any certain Time limited or expressed when to take the aforesaid Oath, shall, at the Time therein prescribed, take the same, and the rest within Six Months next after the End of this present Session of Parliament.

Who may tender
Oath, and to
whom.

XXVI. And be it further enacted by Authority of this present Parliament, That it shall and may be lawful to and for any one of the Privy Council of your Highness, or of your Heirs and Successors, and to and for every Bishop in his Diocese to require any Baron or Baroness of the Age of Eighteen Years or above, to take the said Oath; and to and for any Two Justices of Peace within any County, City or Town Corporate, whereof One to be of the *Quorum*, to require any Person or Persons of the Age of Eighteen Years or above, under the Degree of a Baron or Baroness, to take the said Oath; and if any Person or Persons of or above the said Age and Degree, now stand or hereafter at any Time shall stand and be presented, indicted or convicted for not coming to Church or not receiving the Holy Communion or Sacrament of the Lords Supper, according to the Laws and Statutes of this Realm, before the Ordinary, or other having lawful Power to take such Presentment or Indictment, then Three of the Privy Council of your Highness, your Heirs and Successors, whereof the Lord Chancellor, Lord Treasurer, Lord Privy Seal or Principal Secretary to be one, upon Knowledge thereof, shall require such Person or Persons to take the said Oath; and if any other Person or Persons whatsoever, of and above the said Age, and under the said Degree, now stand or at any Time hereafter shall stand and be presented, indicted or convicted for not coming to Church or receiving the Holy Communion or Sacrament of the Lord's Supper, according to the Laws and Statutes of this Realm, before the Ordinary or any other having lawful Power to take such Presentment or Indictment; or if the Minister, Petty Constable and Churchwardens, or any Two of them, shall at any Time hereafter complain to any Justice of Peace near adjoining to the Place where any Person complained of shall dwell, and the said Justice shall find Cause of Suspicion, that then any one Justice of Peace, within whose Commission or Power such Person or Persons shall at any Time hereafter be, or to whom Complaint shall be made as aforesaid, shall, upon Notice thereof, require such Person or Persons to take the said Oath; and that if any Person or Persons, being of the Age of Eighteen Years or above, shall refuse to take the said Oath duly tendered to him or her, according to the true Intent and Meaning of this Statute, that then the Persons authorized by this Law to give the said Oath, shall and may commit the same Offender to the Common Gaol, there to remain without Bail or Mainprize, until the next Assizes or General Quarter-Sessions to be holden for the said Shire, Division, Limit or Liberty; where the said Oath shall be again in the said open Sessions required of such Person by the said Justices of Assize or Justices of the Peace then and there present, or the greater Number of them; and if the said Person or Persons of
the

Refusing to take
Oath.

the Age of Eighteen Years or above, shall refuse to take the said Oath, being tendered to him or her by the said Justices of Assize and Gaol Delivery, in their open Assizes or Gaol Delivery, or the Justices of Peace or the greater Part of them in their General or Quarter-Sessions, every Person so refusing shall incur the Danger and Penalty of *Premunire*, mentioned in a Statute made in the Sixteenth Year of the Reign of King *Richard* the Second, (except Women covert, who shall be committed only to Prison, there to remain without Bail or Mainprize till they will take the said Oath.)

Premunire.

16 R. 2. c. 5.

XXVII. And be it further enacted, That every Person refusing to take the said Oath as above, shall be disabled to all Intents and Purposes, to execute any publick Place of Judicature, or bear any other Office (being no Office of Inheritance or Ministerial Function) within this your Highness' Realm of *England*; or to use or practise the Common Law or Civil Law, or the Science of Physick or Surgery, or the Art of an Apothecary, or any Liberal Science, for his or their Gain, within this Realm, until such Time as the same Person shall receive the same Oath, according to the Intent of this Statute.

Disabilities.

XXVIII. And be it further enacted, That if any married Woman (being lawfully convicted as a Popish Recufant for not coming to Church) shall not within Three Months next after such Conviction conform herself, and repair to the Church and receive the Sacrament of the Lord's Supper, according to the former Laws and Statutes made and provided in that Behalf touching Recufants; that then she shall be committed to Prison by one of the Privy Council of your Highness, your Heirs or Successors, or by the Bishop of the Diocefe, if she be a Baroness, or if she be under that Degree, by Two Justices of the Peace of the same County, whereof One to be of the *Quorum*, there to remain without Bail or Mainprize until she shall conform herself and come to Church, and receive the Sacrament of the Lord's Supper, unless the Husband of such Wife shall pay to the King's Majesty, his Heirs or Successors, for the Offence of his said Wife, for every Month Ten Pounds of lawful Money of *England*, or else the Third Part (in Three Parts to be divided) of all his Land and Tenements, at the Choice of the Husband whose Wife is so convicted as aforesaid, for and during so long Time as she, remaining a Recufant convicted, shall continue out of Prison, during which Time (and no longer) she may be at Liberty.

Married Woman
Recufant.

Imprisonment.

Penalty.

[*As repealed as to Oath only, 1 W. & M. Sess. 1. c. 8. § 2.; and as to Roman Catholics resorting to Parish Church, see 31 G. 3. c. 32. § 3.*]

C A P. VII.

An Act for the punishing and correcting of Deceit and Frauds committed by Sorters, Kembers and Spinsters of Wool, and Weavers of Woollen Yarn.

WHEREAS by the Trade of Clothing, making of Bays, Says and other Cloths and Stuffs made of Wool or partly of Wool, many poor People are set on work, and great Profit hath grown to the Poor and Commonwealth thereby; yet now by the Abuse and Deceit of the Sorters, Kembers, Carders

and

' and Spinsters of Wool to them delivered, by the Persons using
 ' the Trades aforesaid, and Weavers of the Yarn made of such
 ' Wool, who are set on work by the Clothier, Maker of Bays,
 ' Says and other Cloths and Stuffs aforesaid, by unjustly, deceit-
 ' fully and falsly purloining, imbezilling, selling and detaining of
 ' Part thereof, to the great Damage of the Clothier and others
 ' using the Trades aforesaid, whereby true Cloth-making is much
 ' hindred, and Idleness doth daily increase, so that many exercising
 ' the Trades before mentioned are greatly impoverished, and the
 ' Parties which commit the Offences aforesaid, being poor and
 ' altogether unable to make Recompence or Satisfaction for the
 ' Trespasses, Deceits and Abuses aforesaid, have much discouraged
 ' the said Clothier, Maker of Bays and others of the Trades
 ' aforesaid, to set poor People on work, whereby much Poverty
 ' doth increase and more is like daily to increase, to the great
 ' Damage and Hindrance of the Commonwealth :

II. For the preventing and Reformation whereof, be it enacted
 by the Authority of this present Parliament, That all and every
 such lewd Person and Persons, who shall at any Time after
 Twenty Days next after the End of this Session of Parliament,
 unjustly, falsly or deceitfully convey away, imbezil, purloin, sell
 or detain any Part of the Wool or Yarn delivered by any Clothier,
 Maker of Bays, Says or by any other Person or Persons making
 any such Cloths or Stuffs, to any such Sorter, Carder, Kember,
 Spinster or Weaver of Wool or Yarn, that in every such Case
 and Cases, as well the Sorter, Carder, Kember, Spinster and
 Weaver so offending, as the Buyer and Buyers, Receiver and Re-
 ceivers of the same, knowing the same, being thereof lawfully
 convicted (by Confession of the Party or Parties so offending, or
 by One sufficient Witness upon Oath before Two or more of the
 King's Majesty's Justices of the Peace of the same County or
 Liberty where the same Offence or Offences shall be committed,
 or if it be within a Town Corporate, before the Mayor, Bailiff
 or Chief Officer, and one more of the Aldermen or most substantial
 Persons of the said Town, who shall by force of this Act have full
 Power and Authority to minister the same Oath, and finally to
 hear, end and determine all and every the Offences aforesaid, shall
 give and make to the Party or Parties grieved, such Recompence
 and Satisfaction for such their Damage and Loss, as by the said
 Justices or Chief Officers shall be ordered and appointed ; and if
 the Party or Parties so offending shall not be thought, in the
 Discretion of the said Justices or Chief Officers able or sufficient,
 or do not make Recompence or Satisfaction for the same Offence
 or Offences, in such Manner and Form as by the said Justices or
 Chief Officers shall be ordered and appointed as aforesaid, then
 the Party or Parties offending, for the First Offence to be appre-
 hended and whipped, or set in the Stocks, in the Place where the
 Offence is committed, or in some Market Town in the said
 County, near unto the Place where the Offence or Offences afore-
 said shall be committed, as shall be limited and appointed by the
 said Justices of the Peace or Chief Officers ; and for the Second
 Offence, to incur the like or such further Punishment by Whip-
 ping, or being put in the Stocks, as the said Justices of the
 Peace or Chief Officers shall in their Discretion think fit and
 convenient.

Who may de-
termine Offences.

Recompence.

Punishment.

Second Offence.

III. And

III. And be it likewise enacted by the Authority aforesaid, Receiver, &c.
Punishment.
That all and every Receiver and Receivers, Buyer and Buyers of any Wool or Yarn imbezilled or purloined, contrary to the Meaning of this Act, knowing the same to be imbezilled or purloined, shall be subject to like Punishment as by this Act is inflicted or provided to be inflicted upon any such Person so imbezilling or purloining any such Wool or Yarn as aforesaid.

IV. And be it likewise enacted, That all and every Spinner and Spinners of Wool within the County of *Essex*, that shall receive any Wool to be spun into Yarn for any Clothier or Maker of Bays, Says or other Stuffs aforesaid, dwelling in the Town of *Cogshal*, *Bucking*, *Braintree*, *Halsted*, *Wittam* or *Colcheffer*, within the said County, and shall deliver back again the Yarn made of the said Wool by any shorter Reel than hath been there usual of ancient Time; that is to say, the said Reel containing Two Yards about, shall be subject to like Punishment as by this Act is inflicted or provided to be inflicted upon any Person or Persons imbezilling and purloining Yarn as aforesaid. Spinners of Wool
in certain Towns
in Essex.

C A P. VIII.

An Act to enlarge an Act of Parliament made in the Second and Third Year of King *Philip* and Queen *Mary*, intituled, *An Act for the keeping of Milch Kine, and for the breeding and rearing of Calves.*

[2 & 3 Ph. & M. c. 3. repealed, 12 G. 3. c. 71.]

C A P. IX.

An Act for the bringing of fresh Streams of Water by Engine from *Hackney Marsh* to the City of *London*, for the Benefit of the King's College at *Chelsea*.

WHEREAS His Majesty, of his most Royal and zealous Care for the Defence of true Religion, now established within this Realm of *England*, and for the refusing of Errors and Heresies repugnant unto the same, hath been graciously pleased by his Letters Patents under the Great Seal of *England*, to found a College at *Chelsea* near *London*, and therein to place certain learned Divines, and to incorporate the same by the Name of the Provost and Fellows of the College of King *James* in *Chelsea* near *London*, of the Foundation of the same *James*, King of *England*, and hath of his most gracious Bounty and Goodness not only endowed the same with certain Lands, Privileges and Immunities, but hath also for their further Maintenance and Sustentation, given unto them a Capacity and Ability to receive and take from his Majesty, or any of his loving Subjects, any Lands, Tenements, Hereditaments, Gifts, Benefits and Profits whatsoever, not exceeding in the Whole the yearly Value of Three Thousand Pounds, as in and by the said Letters Patents doth more at large appear:

II. And whereas also it is manifest and evident, that the bringing in of fresh Streams of running Water into the City of *London*, is very convenient, necessary and profitable, as well for the private Use of such as shall Rent the same, as a help for cleansing the

' the said City in the Time of Sicknefs, and preserving the same
' against all sudden Adventures of Fire :'

Provost and Fel-
lows may dig a
Trench out of
River Lee, &c.

III. It is therefore enacted by the King's most Excellent Ma-
jesty, and the Lords Spiritual and Temporal, and the Commons,
in this present Parliament assembled; That it shall and may be law-
ful to the said Provost and Fellows, their Successors, Deputies
and Assigns, at all and every such Place and Places, in the open
Fields or Marshes lying between the Bridge called *Lock Bridge*,
in or near the Parish of *Hackney* in the County of *Middlesex*, and
the Bridge called *Bow Bridge*, at *Stratford Bow*, in the Parish of
Stepney, in the said County (as by the said Provost and Fellows,
their Successors, Deputies or Assigns, by and with the Consent
and Allowance of the Occupiers and Owners of the Soil in the
said Place or Places, and in Default of such Assent or Allowance,
by such Composition first to be made with the said Occupiers and
Owners of the said Soil, as by the Commissioners by virtue of this
Act to be in this Behalf appointed, shall be thought fit and con-
venient) to dig or cut from and out of the main River of *Lee*, on
that Side or Bank of the same River which is next unto the
City of *London*, a Ditch or Trench not exceeding in Breadth Ten
Foot, or to scour, cleanse or enlarge unto the Breadth aforesaid
any old Ditch or Trench there already made; and the same
Ditch or Trench either old or new so to be made, or to be
cleanfed, to convey by or through the said Fields and Marshes in
all Places convenient, in such Sort as the same may again be re-
turned, and made to open itself into the main River, within some
such convenient Distance from the Mouth thereof as to the said
Commissioners shall (for the Intents and Purposes hereafter ex-
pressed) be thought fit; upon which Ditch or Trench, or Places
near adjoining thereunto, it shall and may be lawful to the said
Provost and Fellows, their Successors, Deputies or Assigns, to
erect, or cause to be erected, certain Engines, Waterworks or
Waterwheels, as also Houses or Coverings requisite for the same,
where by the Assent of the said Commissioners the same shall be
agreed upon, to be no Let or Hindrance to the ordinary Passage
of Barges, Boats or such other Vessels upon the said River of
Lee, and by and through the said Ditch or Trench to carry and
convey so much of the Water of the said main River, as by the
said Provost and Fellows, their Successors, Deputies or Assigns,
shall be thought requisite and necessary to be used for the Work-
ing or Motions of the said Engines or Waterwheels, and shall also
by the said Commissioners be thought to be no Prejudice or
Hindrance to the ordinary Passage of Barges, Boats or such other
Vessels upon the same River.

May erect En-
gines, &c.

May dig for
opening of
Springs of fresh
Water, &c.

IV. And that it shall and may be lawful to and for the said
Provost and Fellows, their Successors, Deputies and Assigns (in
all Places apt and convenient within a convenient Distance of the
said Engines or Waterworks) to dig for the taking and further
opening of Springs of fresh Water there found, or to be found on
the West Side of the said River, next unto the City of *London*,
and the Water of the said Springs to carry and convey by and
through certain little Gutters or Trenches, or Pots or Pipes under
the Ground, into one Pit, Pond or Head, of convenient Largeness,
to be made by the said Provost and Fellows, their Successors,
Deputies or Assigns, in some Place apt for the same.

V. And

V. And that it shall and may be lawful to and for the said Provost and Fellows, their Successors, Deputies and Assigns, having by Art and Sleight of Engines and Waterworks, or by any other Means or Device raised the Water of the said Springs, and so much of the Water there running in the said Ditch or Trench as shall be thought necessary, to such Height, and into such Place, Pond, Head or Receipt (as to them shall seem in that Behalf requisite) to convey and carry the same in close Pipes under Ground, from the said Waterworks, and the said other Places of Receipt, unto the City of *London* and the Suburbs thereof, for the perpetual Maintenance and Sustentation of the said Provost and Fellows, and their Successors, by the Rent to be made of the said Waters conveyed as aforesaid.

May convey
Water in Pipes
under Ground.

VI. And that for the Conveyance of the said Water it shall and may be lawful to and for the said Provost and Fellows, their Successors, Deputies and Assigns, (in all Places convenient between the said Waterworks and the said City of *London*) to dig, cut and open the Ground to such Depth and Breadth as shall be convenient for the laying in of the said Pipes or Pots through which the said Water shall pass, and for making little Conduit Heads for Vents unto the same, for the better Passage of the said Waters; and the same Ground so opened for the Purpose aforesaid, (after the said Pipes or Pots are laid in and placed) the said Provost and Fellows, their Successors, Deputies and Assigns, shall with Turf, Earth, Gravel or other Materials again fill up and cover.

May dig and
open Ground
for Pipes, &c.

VII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Provost and Fellows, their Successors, Deputies and Assigns, from time to time, and at all Times convenient with their Men, Horses, Carts or other Carriages, to have free Entry and Passage by, over or through any Ground or Land, in Places and at Times meet and convenient for the doing and performing of any Thing requisite for the making of the said several Passages of Waters, or for the doing of any other Act or Thing concerning the same authorized by this Act, as also for the continual Preservation and Reparation of the said Works as often as need shall require.

Preservation of
Works.

VIII. And be it further enacted by the Authority aforesaid, That the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the Time being (by Commission under the Great Seal of *England*, at the Requests and Charges of the said Provost and Fellows, their Successors, Substitutes and Deputies, or upon the Complaint or Petition of any Person or Persons whom it may concern) shall nominate, appoint and authorize, by Commission or Commissions under the Great Seal of *England*, Seven discreet and sufficient Persons, whereof Two shall be Justices of Peace of the County of *Middlesex*, and Two of the City of *London*, and Three others at the Choice and Appointment of the said Lord Chancellor or Lord Keeper, every of the said Persons having Lands and Tenements of the clear yearly Value of Forty Pounds at the least; which said Seven Persons, or any Four or more of them, shall have Power to order and set down what Rate or Rates, Sum or Sums of Money shall be paid by the said Provost and Fellows (as well for Satisfaction and Recompence of Damages in making the fore-recited Works, or any Thing belonging to the same, as also for any manner of Damages to be sustained in the

Commissioners
appointed.

Meaning

Mending or Reparation thereof from time to time, or any other Costs or Charges sustained by reason of the same) to the Lords, Owners and Occupiers of the Ground and Soil, or to others interested in the said River or Waters, for which Composition is to be made by the Intent of this Act, if the Parties cannot of themselves agree, and in what Manner the same shall be paid.

Recompence
assessed.

IX. And that for the Recovery of such Money as shall be so ordered and set down by the said Commissioners, or any Four or more of them, the Party or Parties to whom the said Money shall be due and payable, by the true Intent of the said Order, shall or may recover the same, together with the reasonable Costs and Damages for the forbearance thereof, against the said Provost and Fellows, by Action of Debt, Bill or Plaint in any His Majesty's Courts at *Westminster*, wherein no Essoin or Protection shall be allowed.

Places exempt.

X. Provided always, and it is further enacted by this present Parliament, and by the Authority of the same, That the said Water shall not be conveyed through the House, Garden or Orchard of any Person or Persons, or through any Part thereof, or through any Corn Fields, while the Corn is growing or standing in the same, without the Consent first had of the Owners and Occupiers of the said Houses, Gardens, Orchards and Corn Fields.

C A P. X.

An Act for Reformation of Alehouse-keepers.

Offence against.

‘ **W**HEREAS notwithstanding all former Laws and Provisions already made, the inordinate and extreme Vice of excessive Drinking and Drunkenness, doth more and more abound, to the great Offence of Almighty God, and the wasteful Destruction of God's good Creatures: Be it enacted by the Authority of this present Parliament, That if any Person being an Alehouse-keeper (after Six Weeks next ensuing this present Session of Parliament) shall be lawfully convicted for any Offence or Offences committed against any of the Branches of Two former Acts of Parliament made thence the Beginning of this present Parliament, the one intituled, *An Act to restrain the inordinate Haunting and Tipling in Inns, Alehouses and other Visuallings*; the other intituled, *An Act against the odious and loathsome Sin of Drunkenness*; that then every Person or Persons so convicted, shall, for the Space of Three Years next ensuing the said Conviction, be utterly disabled to keep any such Alehouse.

1 Jac. I. c. 9.

4 Jac. I. c. 5.
Penalty.

C A P. XL

An Act to prevent the Spoil of Corn and Grain by untimely Hawking, and for the better Preservation of Pheasants and Partridges.

1 Jac. I. c. 27.

‘ **W**HEREAS in the First Session of this present Parliament there was a good Law made, amongst other Things for the Preservation of the Game of Pheasants and Partridges, which hath not yielded that good Success as was by the same Law hoped for and intended, through disorderly and unreasonable Hawking, whereby great Quantity of Corn and Grain hath been and is not only uncharitably spoiled and destroyed, but
‘ great

great Numbers of Pheasants and Partridges thereby killed and spoiled, before they be either fit to be hawked at, or to be used for Food or Diet :

Killing Pheasants, &c. at undue Times, &c.

II. For the Preventing of both which Inconveniencies and Mischiefs, Be it enacted by the Authority of this present Parliament, That all and every Person or Persons whatsoever, which at any Time after the End of this present Session of Parliament doth or shall hawk at, destroy, or kill any Pheasant or Pheasants, Partridge or Partridges, with any Kind of Hawk or Hawks, Dog or Dogs, by Colour of Hawking, between the First of *July* and the last Day of *August*, and the same Offence or Offences being proved by the Confession of the Party, or by the Testimony of Two sufficient Witnesses upon Oath, before Two or more Justices of the Peace of the said County, City or Town Corporate wherein the Offence shall be committed, or the Party offending apprehended, shall be by the said Justices of the Peace for every such Offence, committed to the Common Gaol of the said County, City or Town Corporate, where the Offence shall be committed, or the Parties apprehended ; there to remain for one whole Month without Bail or Mainprize, unless that the said Offender do or shall forthwith upon the said Conviction pay, or cause to be paid, to the Churchwardens of the said Parish, or unto the Overseers of the Poor, or some of them, where the said Offence shall be committed, or the Party apprehended, to the Use of the Poor of the same Parish, the Sum of Forty Shillings for every such Hawking at any Pheasant or Partridge, and Twenty Shillings for every such Pheasant or Partridge which any and every such Person and Persons so offending and convicted (as aforesaid) by himself, his Hawk or Hawks, Dog or Dogs, shall take, kill or destroy, contrary to the true Purport, Intent and Meaning of this present Statute.

Imprisonment.

Penalty.

III. Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons shall be at any Time hereafter convicted and punished by virtue of this Law, That then the Party so punished shall not for the same Offence be afterwards called in question, and punished by virtue of any other Law touching or concerning the like Offences.

Proviso.

IV. Provided also, That no Offenders shall be impeached or punished by virtue of this Act, unless he or they be accused as delinquent, before the said Justices of Peace, within Six Months next after the said Offence or Offences committed or done.

Proviso.

V. And whereas by a Proviso in the said Statute contained, it is provided, That it shall and may be lawful to and for every Person and Persons which have or shall have free Warren, and to every Lord of a Manor, and to every Freeholder which is or shall be seised in his own Right, or in the Right of his Wife, of Lands, Tenements or Hereditaments, to the clear yearly Value of Ten Pounds or more by the Year, over and above all Charges and Reprises, of some Estate of Inheritance ; or of Lands, Tenements or Hereditaments, in his own Right, or in the Right of his Wife, for Term of Life or Lives, of the yearly Value of Thirty Pounds over and above all Charges and Reprises ; or be or which shall be worth in Goods or Chattels Two hundred Pounds ; by him or themselves, or by his or their menial Servants (sufficiently authorised from his or their Master for that Purpose) to take Pheasants and Partridges (in the Day-time only)

1 Jac. I. c. 27. § 6.

only) with Nets, in and upon his and their own, or his or their Masters free Warren, Manor and Freehold, or on any Part of them, betwixt the Feast of *St. Michael* the Archangel, and the Feast of the Birth of our Lord God yearly; any Thing in the said Law to the contrary notwithstanding: By colour of which Liberty so given by the said Proviso, it is found by Experience, that the said Games of Pheasants and Partridges have been and still are likely to be much spoiled and destroyed by many mean Tenants and Freeholders, against the Will of the Lords or Owners of Inheritance of the said Lands and Tenements:

repealed.

VI. Be it therefore enacted by the Authority aforesaid, That the said Proviso, and every Clause, Article and Thing therein contained, shall be from the End of this present Session of Parliament, utterly repealed, frustrate and made void; any Thing in the said Proviso contained to the contrary notwithstanding.

Who may take
Pheasants and
Partridges,
where and when.

VII. And that it shall and may be lawful for every Person or Persons which have or shall have free Warren, and to and for every Lord of a Manor, and to and for every Freeholder which is or shall be seised in his own Right, or in the Right of his Wife, of Lands, Tenements and Hereditaments, to the clear yearly Value of Forty Pounds or more, by the Year, over and above all Charges and Reprises, of some Estate of Inheritance; or of Lands, Tenements and Hereditaments in his own Right, or in the Right of his Wife, for Term of Life or Lives, of the yearly Value of Four-score Pounds over and above all Charges and Reprises; or which shall be worth in Goods or Chattels Four hundred Pounds; by him or themselves, or by his or their menial and household Servants (sufficiently authorized from his or their Master for that Purpose) to take Pheasants and Partridges (in the Day-time only) in and upon his and their own, or his and their Master's free Warren, Manor and Freehold as aforesaid, or on any Part of them, betwixt the Feast of *St. Michael* the Archangel and the Birth of our Lord God yearly; any Thing in the said Law before mentioned to the contrary notwithstanding.

VIII. And whereas the said Games of Pheasants and Partridges are excessively spoiled and destroyed by base Persons, of bad and mean Condition, making a Trade and Living of the Spoiling and Destroying of the said Games, who are not of Sufficiency to pay any Penalty in any former Statute mentioned, nor to answer the Costs and Charges of any that should inform and prosecute against them in any of his Majesty's Courts: By Reason whereof, and for that the said Offenders are hardly discovered, and seldom or never found offending in the Presence of divers Witnesses, so that it is very hard to convict them by the Testimony of more Witnesses than one, by Reason that they spoil and destroy the said Games secretly, and for the most part in the Night-time, and do carry such Pheasants and Partridges as they so destroy, likewise by Night, to Cities and Market Towns to be sold: Be it therefore further enacted by the Authority aforesaid, That all and every Person or Persons which, from and after the First Day of *September* next, shall take, kill or destroy any Pheasant or Partridge with Setting-dogs and Nets, or otherwise with any Manner of Nets, Snares or Engines, and the same Offence or Offences being proved by the Confession of the Party, or by the Testimony of one sufficient Witness upon Oath, before Two or

more

Taking Pheasants or Partridges Setting Dogs, &c.

more Justices of the Peace of the same County, City or Town Corporate, wherein the Offence shall be committed, or the Party offending apprehended, shall be by the said Justices of Peace, for every such Offence, committed to the Common Gaol of the said County, City or Town Corporate, where the Offence shall be committed, or the Party apprehended, there to remain for Three Months without Bail or Mainprize, unless that the said Offender shall forthwith pay or cause to be paid to the Churchwardens or Overseers of the Poor of the said Parish where the said Offence shall be committed, the Sum of Twenty Shillings for every Pheasant or Partridge, which any and every such Person or Persons so offending shall take, kill or destroy as aforesaid, contrary to the Purport and true Meaning of this Statute; and further to become bound by Recognizance in the Sum of Twenty Pounds to his Majesty, his Heirs and Successors, with Condition that he the said Party so offending shall not at any Time thereafter take, kill or destroy any Pheasant or Partridge; which said Recognizance shall be taken by any one or more Justices of Peace of the said County, City or Town Corporate, where the said Offence shall be committed as aforesaid, and shall be returned to the then next Quarter-Sessions, and there to remain of Record as other Recognizances taken for the Peace.

Penalty.

Recognizance.

Officers may search Houses of Persons suspected.

IX. And be it further enacted, That every Constable and Headborough in every County, City, Town Corporate, and other Place where they shall be sworn Officers, shall and may, by virtue of this present Act, (bringing with them to that Purpose a lawful Warrant under the Hands of Two Justices of the Peace of the County, City, Liberties or Town Corporate) have full Power and Authority to enter into and search the House or Houses of any Person or Persons (other than such as by this present Act are allowed to take Pheasants and Partridges with Nets as aforesaid) being suspected to have any Setting-dogs or Nets for the taking of Pheasants and Partridges; and wheresoever they shall find any such Setting-dogs or Nets, the same to take, carry away and detain, kill, destroy and cut in Pieces, as Things prohibited by this Act, and forfeited to such of the said Officers as shall find out and take the same as aforesaid.

X. This Law to continue unto the End of the First Session of the next Parliament, and no longer.

Continuance.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.]

C A P. XII.

An Act to avoid the double Payment of Debts.

WHEREAS divers Men of Trades and Handicraftsmen keeping Shop-Books, do demand Debts of their Customers upon their Shop-Books long Time after the same hath been due, and when as they have supposed the Particulars and Certainty of the Wares delivered to be forgotten, then either they themselves or their Servants have inserted into their said Shop-Books divers other Wares supposed to be delivered to the same Parties, or to their Use, which in Truth never were delivered, and this of Purpose to increase by such undue Means the said Debt: And whereas divers of the said Tradesmen and Handicraftsmen, having received all the just Debt due upon their

In what Case
Shop-Book no
Evidence to re-
cover Debt.

‘ their said Shop-Books, do oftentimes leave the same Books
‘ uncrossed, or any way discharged, so as the Debtors, their Ex-
‘ ecutors or Administrators, are often by Suit of Law enforced to
‘ pay the same Debts again to the Party that trusted the said
‘ Wares, or to his Executors or Administrators, unless he or
‘ they can produce sufficient Proof by Writing or Witnesses, of
‘ the said Payment, that may countervail the Credit of the said
‘ Shop-Books, which few or none can do in any long Time after
‘ the said Payment :’ Be it therefore enacted by the Authority of
this present Parliament, That no Tradesman or Handicraftsman
keeping a Shop-book as is aforesaid, his or their Executors or Ad-
ministrators, shall, after the Feast of *St. Michael* the Archangel next
coming, be allowed, admitted or received to give his Shop-Book
in Evidence in any Action for any Money due for Wares here-
after to be delivered, or for Work hereafter to be done, above one
Year before the same Action brought, except he or they, their
Executors or Administrators, shall have obtained or gotten a Bill
of Debt or Obligation of the Debtor for the said Debt, or shall
have brought or pursued against the said Debtor, his Executors or
Administrators, some Action for the said Debt, Wares or Work
done, within one Year next after the same Wares delivered, Money
due for Wares delivered, or Work done.

Intercourse be-
tween Mer-
chants.

II. Provided always, That this Act, or any Thing therein con-
tained, shall not extend to any Intercourse of Traffick, Merchan-
dizing, Buying, Selling or other Trading or Dealing for Wares
delivered or to be delivered, Money due, or Work done or to be
done, between Merchant and Merchant, Merchant and Tradesman,
or between Tradesman and Tradesman, for any Thing directly
falling within the Circuit or Compass of their mutual Trades and
Merchandize, but that for such Things only, they and every of
them shall be in case as if this Act had never been made; any
Thing herein contained to the contrary thereof notwithstanding.

Continuance.

III. This Act to continue to the End of the First Session of
the next Parliament, and no longer.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.]

C A P. XIII.

An Act for the Explanation of one Statute made in the
Second Session of this present Parliament, intituled, *An
Act against unlawful Hunting and Stealing of Deer and
Conies.*

3 Jac. I. c. 13.
§ 2.

‘ **W**HEREAS Question and Doubt hath grown and risen
‘ upon the Exposition of a Statute made in the Second
‘ Session of this present Parliament, intituled, *An Act against un-
‘ lawful hunting and stealing of Deer and Conies*, for that in the
‘ Body of the said Act all unlawful hunting, driving or chasing
‘ out, or taking, killing or slaying any Deer or Conies within any
‘ the Parks, Places or Grounds in the said Statute mentioned,
‘ against the Will, Mind or Pleasure of the Owners, Occupiers or
‘ Possessioners of the same (as well by Day as by Night) is pro-
‘ hibited and made penal, in such Manner and Form as in and by
‘ the said Statute it doth and may more plainly appear; and
‘ yet, by a Proviso in the said Statute contained, it is enacted,
‘ That

* That the said Act, nor any Thing therein contained, should
 * extend to any Offence or Offences concerning the hunting,
 * chasing or killing of Deer or Conies, which should be done or
 * committed in the Day-time, but only to such Offences as should
 * be then after done or committed in the Night-time only; any
 * Thing in the said Act contained to the contrary notwithstanding:

II. For the Explanation of which Doubt and Question, and
 * for that it is found by Experience, that Malefactors of that Kind
 * have been much encouraged to chase, hunt, kill and destroy
 * Deer in the Day-time by Colour of the said Proviso, whereby
 * many Deer, as well in the Parks of our Sovereign Lord the
 * King, as of many his Highness's loving Subjects, have been and
 * are still like to be unlawfully and riotously chased, hunted and
 * destroyed by many idle, loose and disorderly Persons: Be it
 * therefore enacted by the Authority of this present Parliament,
 * That from and after the Feast of *St. James* the Apostle next ensu-
 * ing, so much of the said Proviso in the said Statute contained, as
 * concerneth the hunting, chasing out or killing of Deer only, shall
 * be repealed, frustrated and made void; any Thing in the said
 * Proviso of the said Act contained to the contrary thereof in any
 * wise notwithstanding.

3 Jac. I. c. 13.
 § 8. repealed.

III. And whereas it was by the said former Statute, amongst
 * other things, enacted, That if any Person or Persons did or
 * should wrongfully or unlawfully hunt, chase or drive out, or
 * take, kill or slay any Deer within any Park or other Place in the
 * said Statute mentioned, against the Will, Mind or Pleasure of the
 * Owners, Occupiers or Possessioners of the same, that then every
 * such Person so offending should satisfy and pay unto the Party
 * grieved his treble Damages, in such Manner and Form as in the
 * said Statute is mentioned: By reason of the Uncertainty whereof,
 * few or no Offenders have been discouraged in their said hunt-
 * ings, drivings, chasings out, taking, killing or slaying of Deer:

3 Jac. I. c. 13.
 § 2.

IV. For Remedy whereof, Be it further, by the Authority of
 this present Parliament, enacted, That if any Person or Persons
 from and after the Feast of *Saint James* the Apostle next coming
 after the End of this present Session of Parliament, shall willingly
 commit any the Offences in the said Statute mentioned, concerning
 the unlawful chasing out, hunting, driving, taking, killing or slay-
 ing of Deer in any Park or inclosed Ground, which now is or
 hereafter shall be made or used for Deer, against the Will, Mind or
 Pleasure of the Owners, Occupiers, Possessioners or Keepers of the
 same; That then all and every such Person and Persons so offending
 shall, for every such Offence, pay and satisfy unto the Party
 grieved the Sum of Ten Pounds of current Money of *England*, or
 else treble Damages and Costs, at the Election of the Party grieved;
 the same to be recovered in such Manner and Form as in and by
 the said Statute is limited and appointed for the Recovery, Taxing
 or Assessing of the said treble Damages; any Thing in the said
 Statute or in this present Act contained to the contrary notwith-
 standing.

Offence.

Penalty.

V. This Law to continue unto the End of the First Session of
 the next Parliament.

[Continued, 3 Car. I. c. 4. § 22. 16 Car. I. c. 4.—Note, so much of
 3 Jac. I. c. 13. as relates to Deer, repealed by 16 G. 3. c. 30. § 27.]

C A P. XIV.

An Act for the reviving of Part of a former Act made in the Fourth Year of King *Edward* the Fourth, That no Stranger or Alien shall buy *English* Horns unwrought; and that the Wardens of the Horners of the City of *London* for the Time being, should have Power to search all Manner of Wares appertaining to their Mystery in *London*, and Four and twenty Miles on every Side of it.

IN all humble Manner shewen and beseechen your most excellent Majesty, the Wardens and Men of Occupation of Horners of the City of *London*; That whereas in the Parliament holden at *Westminster* in the Fourth Year of the Reign of King *Edward* the Fourth, grievous Complaint was made by Men of the Occupation of Horners, being enfranchised in the City of *London*, how that the People of strange Lands hath come into this Land, and into divers Parts thereof, and hath bought by the Hands of their Hosts and Guides the great and chief Stuff of *English* Horns unwrought, of Tanners and Butchers, and carry the same over the Sea, and there employ the same in divers Works, to the great Damage of this Land, and to the final Prejudice of a great Number of Men being of the Occupation of Horners:

II. It pleased the King's Majesty, by the Advice and Assent of the Lords Spiritual and Temporal in that Parliament assembled, and at the Request of the Commons of the same, and by the Authority of the same Parliament, to ordain, establish and enact, That from the Feast of *Easter*, which then should be in the Year of our Lord God One thousand four hundred sixty five, That no Stranger nor Alien, by himself or by any other, should buy any *English* Horns unwrought of any Tanners, Butchers, or of any other Persons, gathered or growing within the said City, or Four and twenty Miles on every Side of the said City next adjoining: And that no *Englishman*, nor other Person, should sell any *English* Horns unwrought to any Strangers, or cause them to be sent over the Sea, so that the said Horners would buy the said Horns at like Price as they were at the Time of the making of the said Act, upon Pain of Forfeiture of all such Horns so bought, sold or sent: And that the Wardens of the said Mystery for the time being, by the said Authority, should have full Power to search all Manner of Ware pertaining to their Mystery, wrought or to be wrought, in all Places within the said City of *London*, and Four and twenty Miles on every Side next adjoining to the same City, and within the Fairs of *Sturbridge* and *Ely*, in whose Hands they might be found: And if they by their Search find any such Ware or Stuff in any Place within the said City of *London* and Four and twenty Miles next adjoining to the same City, or within the Fairs of *Sturbridge* and *Ely*, in whose Hands soever they be to sell, that was defective and insufficient, it should be lawful to them to take the same Ware and Stuff, and bring it before the Mayor of the said City of *London*, the Mayors or Bailiffs of the aforesaid Fairs for the time being; and the same there being proved defective, to be forfeit, the one Half thereof to our Sovereign Lord the King, and the other Half to the said Wardens, to be ordered at their Pleasure: In which said Act it is provided, That after that Men of

the said Occupation within this Land have taken out and chosen such and as many Horns as should be needful to their Occupation, that then it should be lawful to them all, and to every of them, and other Persons of this Realm of *England*, to sell and deliver all the Horns refused, which be not able to be occupied in their Mystery, to any Stranger or other Person, to send or carry beyond the Sea, or elsewhere, as should please them: The which Act in the Parliament holden at *Westminster* in the First Year of your Highness Reign, was wholly repealed and made void: 2 Jac. I. c. 25.

III. Forasmuch as since the Repealing of the said Act, Strangers and Aliens by the Hands of divers of their Factors, Servants and Dealers for them, have and do (as before the making of the said Statute of *Edward* the Fourth they did, that is) daily buy up and procure unto themselves the great and chief Stuff of *English* Horns unwrought, of Tanners and Butchers, and otherwise, and do daily convey and carry them beyond the Seas, and there make them into divers Works, whereby many Householdors of your Majesty's Subjects, that lived and maintained their Families, and paid Subsidies and other Duties to your Highness, by the Benefit of their Labour in working the said Horns, having no other Trade or Means by Labour to maintain and keep themselves, their Wives and Children, the Company being greatly increased, and the Stuff altogether in a manner transported, occasioneth such a Decrease of the Ware, as hereby the Company is grown so poor and decayed, as in short Time, if Remedy be not provided, they and theirs shall be utterly undone: And also by the repealing of the said Act, the Wardens of the said Horners of the said City of *London* are disabled to search the Wares belonging to their said Craft, as well within the said City, as in other Places in the said Act mentioned, and have lost their Government in their Company: Therefore pleaseth it your Highness, That it may be enacted by your most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act, and every Part and Point thereof, (except Power of Search within the Fairs of *Stourbridge* and *Ely*, and except the Limitation of such Prices for Horns as they were to be had for at the making of the said Act) shall be revived, and be of like Force, Power and Virtue from henceforth, as if the same had not been repealed. 4 E. 4. c. 2. revived.

IV. And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever shall sell any *English* Horns unwrought to any Stranger, or send any *English* Horns unwrought over the Sea, contrary to the true Meaning of the said Act; upon Pain of Forfeiture of double the Value of the Horns so by him or them so sold or sent; the same Forfeiture to be recovered by him or them that will sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of the King's Majesty's Courts of Record; the one Moiety thereof to be to the King's Majesty, his Heirs and Successors, and the other Moiety to him or them that will sue for the same; in which Suit no Protection, Privilege or Wager of Law to be admitted for the Defendant.

Selling *English* Horns unwrought to Aliens Penalty.

said Counties, that shall fetch or take Sand as aforesaid, to land and cast out of their Boats and Barges such Sand as they shall so fetch or take, at such Places as Sand hath at any time within the Space of Fifty Years last past been used by such Bargemen and Boatmen to be landed and cast, and also to fetch and carry the same by and through such Ways as now be, and by the Space of Twenty Years last past have been, used for the carrying and fetching thereof, paying for the taking, casting out and landing of every Barge-load, Boat-load or Sack of the said Sand, upon the Grounds of any Man, such Duties as heretofore within the said Time of Fifty Years have been used and accustomed to be paid for the same; and for Passage by and through the said Ways, such Duties as have usually been paid by the said Space of Twenty Years, and in such Manner and Form as the same within the said several Times have respectively been used and accustomed to be paid: And in such Places where certain usual Duties have not been paid, but uncertain Compositions have from time to time been made by Agreement with the Owners of the Soil there, to yield such reasonable Compositions as by Agreement with the said Owners shall from time to time be made.

Continuance.

· III. This Act to continue until the End of the First Session of the next Parliament.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4.]

C A P. XIX.

An Act for the Continuance and Réparation of a new-built Wear upon the River of *Exe*, near unto the City of *Exeter*.

[Cap. 19. is entered on the Roll amongst the Private Acts, and is No. 27 there.]

C A P. XX.

An Act for the speedy Recovery of many Thousand Acres of Marsh Ground, and other Ground within the Counties of *Norfolk* and *Suffolk*, lately surrounded by the Rage of the Sea in divers Parts of the said Counties, and for the Prevention of the Danger of the like surrounding hereafter.

WHEREAS the Sea hath broken into the County of *Norfolk*, and hath surrounded much hard Grounds, besides the greatest Part of the Marshes and low Grounds within the Towns and Parishes hereafter mentioned, that is to say, the Towns and Parishes of *Waxtonsbam*, *Palling*, *Eccles*, *Hempsted*, *Ingbam*, *Hickling*, *Horsey*, *Potter*, *Higham*, *Catfield*, *Ludbam*, *Winterton*, *East Somerton*, *West Somerton*, *Martham*, *Baſwick*, *Repps*, *Thurne*, *Oby*, *Clippesby*, *Billockby*, *Wood*, *Baſickboring*, *Ranworth*, *South Walsham*, *Upton*, *Fisbley*, *Acle*, *Caſtor St. Edmunds*, *Caſtor Malibey*, *Rimbam*, *Herringby Borough*, *Stockby*, *Buxton*, *Horsehead*, *Wroxham*, *Sallowes*, *Hoston*, *Below*, *Coltsel*, *Hobbins*, *Lummas*, *Netishead*, *Barton*, *Sutton*, *Stalbam*, *Tunſtel*, *Halvergate*, *Wickhampton*, *Tborpe*, *Redbam*, *Limpenbow*, *Cauley*, *Haſſingbam*, *Buckenham Ferry*, *Strumſel*, *Brundel*, *Poſſewick*, *Tborpe juxta Norwich*, *Tarlton*, *Norton*, *Hardley*, *Langley*, *Carleton*, *Claxton*, *Rockland*, *Surlingham*, *Bramerton*, *Wicklingham*, *Trowse*

Trowse, Carrow, Haddestow, Whiteacre Borough, Whiteacre Abbey, Gellingham, in the said County of Norfolk: And Gorleston, Gapton, Bradwell, Borough Castle, Berkeleste, Basbam, Worlingham, Belton, Fretton, St. Toolies alias St. Olives, Herringfleet, Somerley Town, Shepton, Gwilton, Kirkley and Barkley, in the said County of Suffolk: For Remedy of so great Calamity, it is enacted, That the Lord Chancellor shall, from time to time, award Commissions under the Great Seal to the Lord Bishop of *Norwich*, and to any Eleven or more Justices of the Peace of *Norfolk*, and Six or more Justices of the Peace of *Suffolk*, after such Tenor as hereafter followeth, that is to say:

REX, &c. Reverendo in Christo Patri A. Episcopo Norwicensi, nec non A. B. C. D. salutem. Sciatis, quod assignavimus vos & quolibet sex, five plures vestrum, ad omnia & singula supervidenda, perlustranda, mandanda, facienda, performanda, exequenda & peragenda, in quodam actu in Parlamento Domini Jacobi, Dei Gratia, Regis Angliæ, &c. nono die Februarii anno Regni sui Angliæ, Franciæ & Hiberniæ septimo, & Scotiæ quadragesimo tertio, per diversas Prorogationes apud Westmonasterium tento, edito, intitulo, *An Act for the speedy Recovery of many Thousand Acres of Marsh Grounds, and other Grounds within the Counties of Norfolk and Suffolk, lately surrounded by the Sea in divers Parts of the said Counties, and for the Prevention of the Danger of like surrounding hereafter*, specificata secundum tenorem, vim, formam, effectum & veram intentionem ejusdem actus: In cujus rei testimonium, &c. Teste, &c.

"To continue Seven Years next ensuing the End of this Session, and from thence to the End of the First Session of the then next Parliament. § 22.

[Continued, 3 Car. 1. c. 4. § 28. 16 Car. 1. c. 4.]

C A P. XXI.

An Act for Confirmation of Decrees hereafter to be made in the Exchequer Chamber, and Duchy Court, concerning Customary or Copyhold Lands and Tenements.

WHERE the King's most excellent Majesty is given to understand, that divers of his good and loving Subjects, holding Lands, Tenements and Hereditaments, by Copy of Court-Roll, of divers of his Majesty's Manors, are, notwithstanding, subject to much Question and Exception, either because the said Lands, Tenements and Hereditaments were not perhaps originally Parcels of the said Manors, nor, time out of Mind, according to the strict Interpretation of Law, have been Copyhold Lands, or Tenements demised, or demisable by Copy of Court-Roll of the said Manors; or because the Fines payable for Admittances upon Descents, Surrenders, Grants and Alienations, of or to their such Copyhold Lands, Tenements and Hereditaments, and other their Usages, Customs, Liberties and Privileges concerning the same, are either uncertain, or not so plain, but that both for the present, and in future Times, much Trouble, Loss and Disquiet may arise and happen unto such Copyhold Tenants, which may also be a Reason to discourage them in their Endeavours, ⁱⁿ improving and husbanding their

' said Lands, which turns to the Damage of the Commonwealth :
 ' And where his Majesty taking Knowledge of the Premises, and
 ' minding to do Favour to all his loving Subjects in those Cases,
 ' and to settle, establish and secure their Copyhold Estates, accord-
 ' ing to true Meaning, hath been pleased, that the Lord High
 ' Treasurer of *England*, and the Chancellors of his Highness'
 ' Courts of Exchequer and Duchy respectively, should take
 ' Order, upon reasonable Composition to be made with his Ma-
 ' jesty, as to their Wisdoms shall seem fit, by such Tenants, to
 ' establish their said Copyhold Estates by Decrees of the said
 ' several Courts respectively according to true Meaning : In Per-
 ' formance of which his Majesty's gracious Directions, divers
 ' Decrees of that Nature have been already made, and others are
 ' intended from time to time to be made, upon such Compositions
 ' to be had with the Lord Treasurer of *England*, and Chancellors
 ' of the Exchequer and Duchy for the Time being, for and on
 ' his Majesty's Behalf as aforesaid : Be it therefore enacted by
 the King's most excellent Majesty, the Lords Spiritual and
 Temporal, and the Commons, in this present Parliament assembled,
 and by the Authority of the same, That all the Messuages,
 Cottages, Mills, Lands, Tenements and Hereditaments contained
 or mentioned in any Decree or Decrees to be made in any the
 said Courts of Exchequer Chamber or Duchy, at any time since
 the First Day of this present Session of Parliament, or within
 Three Years from thence next ensuing, upon Compositions made
 with his Majesty's said Officers, on his Highness' Behalf as afore-
 said, and in and by the same decreed to be from thenceforth good
 and perfect Copyhold Lands, shall from the time of such Decree
 or Decrees made, be taken and adjudged to be good and perfect
 Copyhold Lands, Tenements and Hereditaments, according to the
 true Intent and Meaning of the said Decrees respectively : And
 that all and every Person and Persons shall and may have, hold,
 use and enjoy the said Messuages, Cottages, Mills, Lands, Tene-
 ments and Hereditaments, to them, their Heirs and Assigns for
 ever, by Copy of Court-Roll, or otherwise, according to the
 Customs of the said Manors, severally and respectively, according
 to the Purport and Effect of the said Decrees, for such Fines,
 Rents, Duties, and by, with and according to such Customs,
 Privileges, Liberties, Profits and Commodities, and in such
 Manner and Form, as in and by the said Decrees shall be limited
 and appointed.

The Validity of
 Decrees made in
 the Exchequer
 Chamber or
 Duchy concern-
 ing the King's
 Copyhold Lands.

Decrees con-
 firmed.

II. And be it further enacted by the Authority aforesaid, That
 the said Decrees, and every of them, and every Clause, Article
 and Sentence in every of them to be contained, shall stand and
 be ratified, allowed, approved and confirmed by the Authority
 of this present Parliament ; and that the same Decrees, and every
 of them, shall stand and be of force to bind and conclude, as well
 the King's Majesty, his Heirs and Successors, as also all other
 Parties to the same, their Heirs and Assigns, and all claiming
 by, from or under them, in all Things, according to the Pur-
 port, Effect and true Meaning of the same Decrees ; and that
 every Clause, Article and Sentence in them or any of them to be
 contained, for ever, from and after the making of the same Decrees,
 shall stand, be and remain, and be adjudged and taken to stand
 and be of such and the same Force and Effect, to all Intents and
 Purposes,

Purposes, as if the same Decrees, and every of them, and every Clause, Article and Sentence in them and every of them to be contained, were specially and particularly herein expressed, and by the Authority of this present Parliament enacted: Saving nevertheless to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors (other than the King's Highness, his Heirs and Successors), all such Actions, Estates, Possessions, Rights, Titles, Interests, Rents and Demands, Profits, Commodities and Advantages whatsoever, as they or any of them have, shall, may or ought to have, of, in, to or out of all or any of the Premises, in such and the same Estate, Degree, Plight, Manner and Form, to all Intents and Purposes, as if this Act had never been had nor made.

General Saving.

C A P. XXII.

An Act for the Confirmation of a Subsidy granted by the Clergy. EXP.

C A P. XXIII.

An Act for the Grant of one entire Subsidy and one Fifteenth and Tenth granted by the Temporality. EXP.

C A P. XXIV.

An Act for the King's most gracious, general and free Pardon.

Anno decimo octavo JACOBI Regis. (A.D.1620.)

C A P. I.

An Act for Three intire Subsidies granted by the Spirituality. EXP.

C A P. II.

An Act for Two intire Subsidies granted by the Temporality. EXP.

[There is no Roll, 18 Jac. except one indorsed, "ROTULUS JUDICIOR. "REDDITOR. IN PARLIAMENTO TENT. APUD WESTM. ANNO "REGNI REGIS JACOBI ANGLIÆ, ETC. DECIMO OCTAVO." and which contains only certain Proceedings, the Title of which on the Roll is unintelligible, but which are intitled in the Calendar, "An "Act containing the Censure given in Parliament against Sir "Giles Mompeyson, Sir Francis Mitchell, Francis Viscount St. Albans Lord Chancellor of England, and Edward Flood."]

Anno

Anno Regni JACOBI Regis Angliæ, Scotiæ, Franciæ
& Hiberniæ, viz. Angliæ, Franciæ & Hiberniæ
vicefimo primo, & Scotiæ quinquagefimo feptimo.
(A.D.1623.)

[*The Roll is in Two Parts ; the First Part is indorfed, " ROTULUS
" PARLIAMENTI TENTI APUD WESTM. XIX DIE FEBRUARII
" ANNO R. R. JACOBI ANGLIE XXI. PRIMA PARS," and the
Title is as follows : Rotulus Parliamenti tenti apud Westm. Die
Jovis decimo nono Die Februarii Anno Regni sereniffimi Do-
mini nostri Jacobi Dei gratia Angliæ Franciæ et Hiberniæ
Regis Fidei Defensoris &c. vicefimo primo et Scotiæ quinquage-
fimo feptimo, and contains cc.33 & 34. only. The Roll (Second
Part) is then indorfed as above, except the Words Secunda Pars,
inftead of the Words Prima Pars ; and contains the remaining Aâs ;
and the Title is repeated in the Words of the First Part, but there
are no Titles to the Aâs entered except fhort Marginal Titles, which
are in feveral Infiances evidently defective, and all appear to be of
later writing than the Entries on the Roll : The Titles of the Aâs
of this Year are therefore corrected by the Calendar, but it does not
appear whence the Titles in the Calendar were obtained.*]

C A P. I.

An Act for the reviving and making perpetual of one Act
made in the Nine and thirtieth Year of the late Queen
Elizabeth, intituled, *An Aâ for erecting of Hospitals, and
Abiding and Working Houfes for the Poor.*

39 Eliz. c. 5.
made perpetual.

‘ WHEREAS in the Parliament held in the Nine and
‘ thirtieth Year of the Reign of the late Queen *Elizabeth*
‘ of happy Memory, a good Law was made, intituled, *An Aâ*
‘ *for erecting of Hospitals, or Abiding and Working Houfes for the*
‘ *Poor* ; but the Power, Licence and Authority given by the
‘ faid Statute, to erect, found and eftablifh fuch Houfes and
‘ Abiding-places, as are therein mentioned, was confined to the
‘ Space of Twenty Years then next enfuing, which faid time is
‘ now expired :’

II. Be it therefore enacted by the Authority of this prefent
Parliament, That the faid Aâ and all Things therein contained,
shall from henceforth be revived and made perpetual, to have Con-
tinuance for ever.

III. And be it alfo enacted, That all Hospitals, *Maisons de Dieu*,
and Abiding-places for poor, lame, maimed and impotent People,
or for Houfes of Correction, at any time fince the faid Twenty
Years expired, erected, founded or made, or at any time hereafter
to be erected, founded or made, according to the Purport of the
faid Statute, shall be incorporated, and have perpetual Succelfion
and Capacity, to have, take and enjoy all other Privileges, Be-
nefits

Erection of
Hospitals, &c.
confirmed.

benefits and Immunities, to all Intents and Purposes, according to the Provisions, Tenor, Purport and true Meaning of the said Act, as if the same had been made, founded or endowed within the Space of Twenty Years next ensuing the said Statute.

C A P. II.

An Act for the general Quiet of the Subject against all Pretences of Concealment whatsoever.

THE King's most excellent Majesty, of his blessed and gracious Disposition, and abundant Grace, desiring that his loving Subjects, and their Heirs and Successors, may quietly have and hold all and singular Manors, Lands, Tenements and Hereditaments, which they, their Ancestors or Predecessors, or any other, by, from or under whom they claim, have of long time enjoyed, is graciously pleased that it be enacted; and be it enacted by the King's most excellent Majesty, by and with the Assent and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the King's Majesty, his Heirs and Successors, shall not at any Time hereafter sue, impeach, question or implead any Person or Persons, Bodies Politick or Corporate, for or in any wise concerning any Manors, Lands, Tenements, Rents, Tithes or Hereditaments, other than Liberties and Franchises, or for or in any wise concerning the Revenues, Issues or Profits thereof, or make any Title, Claim, Challenge or Demand, of, in or to the same, or any of them, by reason of any Right or Title accrued and grown Threescore Years past and more, and now *in esse*, unless his Majesty or some of his Progenitors, Predecessors or Ancestors, or some other Person or Persons, Bodies Politick or Corporate, under whom his Majesty any Thing hath or lawfully claimeth, have been answered by force and virtue of any such Right or Title to the same, the Rents, Revenues, Issues or Profits thereof, within Threescore Years next before the Beginning of this present Session of Parliament, or that the same have been duly in charge to his Majesty, or the late Queen *Elizabeth*, or have stood *in super* of Record within the said Space of Threescore Years (a); And that every Person or Persons, Bodies Politick and Corporate, their Heirs and Successors, and all claiming by, from or under them or any of them, for and according to their and every of their several Estates and Interests, which they have or claim to have in the same respectively, shall hereafter quietly and freely have, hold and enjoy, against his Majesty, his Heirs and Successors, claiming by any Title accrued or grown Threescore Years past or above, and now *in esse*, all and singular Manors, Lands, Tenements, Rents, Tithes and Hereditaments whatsoever, except Liberties and Franchises, which he or they, or his or their, or any of their Ancestors or Predecessors, or those from, by or under whom they claim, have held or enjoyed, or taken the Rents, Revenues, Issues or Profits thereof, by the Space of Threescore Years next before the Beginning of

In what Cases
concealed Lands
recovered.

(a) [No Receiver of Land Tax to set *in super* any County for Land Tax granted by that Act, after Three Years, 4 G. 3. c. 2. § 109.]

this present Session of Parliament, unless his Majesty, or some of his Progenitors, Predecessors or Ancestors, or some other Person or Persons, Bodies Politick or Corporate, by, from or under whom his Majesty any Thing hath or lawfully claimeth in the said Manors, Lands, Tenements, Rents, Tithes or Hereditaments, by force of any Right or Title, have been answered by virtue of any such Right or Title, the Rents, Revenues, Issues or other Profits thereof, within Threescore Years next before the Beginning of this present Session of Parliament, or that the same have been duly in charge, or stood *in super* of Record as aforesaid, within the said Space of Threescore Years: And furthermore, that every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, and all claiming by, from or under them, or any of them, for and according to their and every of their several Estates and Interests which they have or claim respectively, shall quietly and freely have, hold and enjoy all such Manors, Lands, Tenements, Rents, Tithes and Hereditaments, except Liberties and Franchises, as they now have, claim or enjoy, (whereof his Majesty, his Progenitors, Predecessors or Ancestors, or he or they, by, from or under whom his Majesty any Thing hath or lawfully claimeth, or some of them, by force of some Right or Title to the same, have not been answered by virtue of such Right or Title, the Rents, Revenues, Issues or Profits thereof, within Threescore Years next before the Beginning of this present Session of Parliament): Nor the same have been duly in charge, or stood *in super* of Record as aforesaid, within the said Space of Threescore Years, against all and every Person and Persons, their Heirs and Assigns, having, claiming or pretending to have any Estate, Right, Title, Interest, Claim or Demand whatsoever, of, in or to the same, by force or colour of any Letters Patents or Grants upon Suggestion or † Concealment, or wrongful detaining, or not being in charge, or defective Titles, [or by, from or under any Patentees or Grantees, or any Letters Patents or Grants upon Suggestion of Concealment, or wrongful detaining, or not being in charge, or defective Titles,] (a) of or for which said Manors, Lands, Tenements, Rents, Tithes and Hereditaments, or any of them, no Verdict, Judgment, Decree, judicial Order upon Hearing, or Sentence now standing in force, hath been had or given in any Action, Bill, Plaint or Information, in any of his Majesty's Courts at *Westminster*, for or in the Name of the King's Majesty, or of the late Queen *Elizabeth*, or for any of the said Patentees or Grantees, or for their or any of their Heirs or Assigns, within Threescore Years next before the Beginning of this present Session of Parliament. (a) [The Words above in Brackets are omitted in the Editions by Pulton (Edit. 1661), Keble, the Edition ending 4th Ann, Hawkins and Cay, but they are contained in the Roll.]

† See.

Proviso for the
King's Title to
Reversions, &c.

II. Provided always, That this Act, or any Thing therein contained, shall not extend to bar, impeach or hinder his Majesty, his Heirs or Successors, of, for or from any Manors, Lands, Tenements, Rents, Tithes or Hereditaments, whereof any Reversion or Remainder now is in his Majesty, for or concerning the said Reversion or Remainder; nor of, for or from any Reversion or Remainder, or Possibility of Reversion or Remainder, in any of his Majesty's Progenitors, or Predecessors or Ancestors, which by the Expiration, End or other Determination of any limited Estate of Fee-simple,

Fee-simple, or of any Fee-tail or other particular Estate, hath or ought to have fallen or become in Possession within the Space of Threescore Years next before the Beginning of this present Session of Parliament: Nor of, for or from any Right or Title first accrued or grown to his Majesty, or any of his Progenitors, Predecessors or Ancestors, of, in or to any Manors, Lands, Tenements, Rents, Tithes or Hereditaments, within the Space of Threescore Years next before the Beginning of this present Session of Parliament, and not before.

III. Provided also, and be it enacted by Authority of this present Parliament, That this Act or any Thing therein contained shall not extend to any Manors, Lands, Tenements, Rents, Tithes or Hereditaments mentioned to be granted or conveyed by any of his Majesty's Progenitors, Predecessors or Ancestors, or by any other under whom his Majesty claimeth, to any Person or Persons, of any limited Estate in Fee-simple, or of any Estate in Tail or other particular Estate, which several Estates (if the same had been good and effectual in Law) have or ought to have fallen or become in Possession within Threescore Years next before the Beginning of this present Session of Parliament, nor to any Manors, Lands, Tenements, Rents, Tithes or Hereditaments mentioned to be granted or conveyed by any of his Majesty's Progenitors, Predecessors or Ancestors, or by any other under whom his Majesty claimeth, to any Person or Persons, in Fee-tail, or other particular Estate, whereof the Reversion or Inheritance (if such Estate-tail or other particular Estate had been good and effectual in Law) should have been and continued in his Majesty, the First Day of this present Session of Parliament.

Proviso for
Lands, &c.
granted by the
King's Ancestors.

IV. Provided also, and be it enacted by the Authority of this present Parliament, That all and singular the said Manors, Lands, Tenements and Hereditaments shall be holden of his Majesty, his Heirs and Successors, and of other Person and Persons, Bodies Politick and Corporate, their Heirs and Successors respectively, by the same Tenures, Services, Fee-farms, Chief-rents, Herriots and other Duties, to all Intents and Purposes, as the same should or ought of Right to have been holden, if the Estates, Rights and Interests established and made sure by this present Act had been before the making of this Act firm, good and effectual in Law: Saving to every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, (other than His most excellent Majesty, his Heirs and Successors, and other than all Patentees or Grantees of Concealments or defective Titles, and all and every Person or Persons claiming from, by or under them or any of them, for, in respect, or by reason of any such Patents or Grants of Concealments or defective Titles), all such Rights, Title, Interest, Estate, Rents, Commons, Customs, Duties, Profits and other Claims and Demands whatsoever, in, to or out of the said Manors, Lands, Tenements, Tithes or Hereditaments, as they or any of them had or ought to have had before the making of this Act; any Thing in this Act to the contrary notwithstanding.

Proviso for Te-
nures or Services
of Lands.

General Saving.

V. Provided always, That this Act, nor any Thing therein contained, shall extend to debar his Majesty, his Heirs or Successors, of or from such Claim and Demand as his Majesty hath made, or may rightfully make, unto a certain Duty or Custom of Two Pence upon a Chaldron of Sea-coal, to be paid in the Port of

Proviso for
Duty on Coal at
Newcastle.

the Town of *Newcastle upon Tyne*, with the Members thereof, but that the same shall be and remain in such Sort and Degree as if this Act had never been had or made.

Rents answered
within Sixty
Years, confirmed.

VI. Provided also, and be it enacted, That where any Fee-farm Rent, or other Rent or Rents, have been answered and paid to the King's Majesty, or to any his Predecessors, by the more Part of Threescore Years last past, out of any Manors, Lands, Tenements or Hereditaments, of which Manors, Lands, Tenements or Hereditaments, the Estates, Rights or Interests being defective, are established and made sure by this present Act; that the King's Majesty, his Heirs and Successors, shall from henceforth for ever have, hold and enjoy the said Rents and Arrearages thereof, in such Manner and Form, and as fully and amply, as the same were enjoyed by the more Part of Threescore Years last past before the Beginning of this Session of Parliament.

Accrues of the
King's Title
upon a Verdict
or Demurrer, &c.

VII. Provided always, and be it enacted by the Authority of this present Parliament, That no putting in charge, nor standing *in super*, nor taking or answering the Farm-rents, Revenues or Profits of any of the said Lands, Tenements or Hereditaments, by force, colour or pretext of any Letters Patents, or Grants of Concealments, or defective Titles, or of Lands, Tenements or Hereditaments out of charge, or by force, colour or pretext of any Inquisitions, Presentments, by or by reason of any Commission, or other Authority to find out Concealments, defective Titles, or Lands, Tenements or Hereditaments out of charge, shall be deemed, construed or taken to be a putting in charge, standing *in super*, or taking or answering the Farm-rents, Revenues or Profits, by or to his Majesty, or any of his Progenitors or Predecessors, unless thereupon such Lands, Tenements or Hereditaments, have been upon any Information or Suit, on the Behalf of his Majesty, or of any his Progenitors or Predecessors, upon a lawful Verdict given, or Demurrer in Law adjudged, or upon a Hearing ordered or decreed for his Majesty, or any of his Progenitors or Predecessors, or of any of them within the said Space of Threescore Years.

Proviso for
Land for which
Compositions
made

VIII. Provided always, and be it enacted, That this Act, or any Thing therein contained, shall not extend, or be prejudicial to His Majesty, for or concerning any Manors, Lands, Tenements or Hereditaments, for which any Composition is, or before the End of this Session of Parliament, shall be made with His Majesty's Commissioners for defective Titles, and the Monies by such Compositions payable to His Majesty not paid before the End of this Session of Parliament, unless the said Monies shall be paid, and His Majesty's Letters Patents procured according to the true Intent of such Compositions, within Three Months after the End of this Session of Parliament.

[Rendered more effectual, 9 G. 3. *Seff.* 2. c. 16.; and see as to Ireland, 48 G. 3. c. 47.]

C A P. III.

An Act concerning Monopolies and Dispensations with Penal Laws, and the Forfeitures thereof.

FORASMUCH as Your most excellent Majesty, in your Royal Judgment, and of your blessed Disposition to the Weal and Quiet of your Subjects, did in the Year of our Lord
God

God One thousand six hundred and ten, publish in Print to the whole Realm, and to all Posterity, that all Grants and Monopolies, and of the Benefit of any Penal Laws, or of Power to dispense with the Law, or to compound for the Forfeiture, are contrary to Your Majesty's Laws, which, Your Majesty's Declaration, is truly consonant and agreeable to the ancient and fundamental Laws of this your Realm: And whereas Your Majesty was further graciously pleased, expressly to command, that no Suiter should presume to move Your Majesty for Matters of that Nature; yet nevertheless upon Misinformations, and untrue Pretences of Publick Good, many such Grants have been unduly obtained, and unlawfully put in Execution, to the great Grievance and Inconvenience of Your Majesty's Subjects, contrary to the Laws of this Your Realm, and contrary to Your Majesty's most Royal and Blessed Intention so published as aforesaid: For avoiding whereof, and preventing of the like in time to come, may it please Your excellent Majesty, at the humble Suit of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, that it may be declared and enacted; and be it declared and enacted by the Authority of this present Parliament, That all Monopolies, and all Commissions, Grants, Licences, Charters and Letters Patents heretofore made or granted, or hereafter to be made or granted, to any Person or Persons, Bodies Politick or Corporate whatsoever, of or for the sole buying, selling, making, working or using of any Thing within this Realm, or the Dominion of *Wales*, or of any other Monopolies, or of Power, Liberty or Faculty, to dispense with any others, or to give Licence or Toleration to do, use or exercise any Thing against the Tenor or Purport of any Law or Statute; or to give or make any Warrant for any such Dispensation, Licence or Toleration to be had or made; or to agree or compound with any others for any Penalty or Forfeitures limited by any Statute; or of any Grant or Promise of the Benefit, Profit or Commodity of any Forfeiture, Penalty or Sum of Money, that is or shall be due by any Statute, before Judgment thereupon had; and all Proclamations, Inhibitions, Restraints, Warrants of Assistance, and all other Matters and Things whatsoever, any way tending to the instituting, erecting, strengthening, furthering or countenancing of the same or any of them; are altogether contrary to the Laws of this Realm, and so are and shall be utterly void and of none effect, and in no wise to be put in Ure or Execution.

Monopolies, &c.
void.

II. And be it further declared and enacted by the Authority aforesaid, That all Monopolies, and all such Commissions, Grants, Licences, Charters, Letters Patents, Proclamations, Inhibitions, Restraints, Warrants of Assistance, and all other Matters and Things tending as aforesaid, and the Force and Validity of them and of every of them, ought to be and shall be for ever hereafter examined, heard, tried and determined by and according to the Common Laws of this Realm, and not otherwise.

Monopolies, &c.
how tried.

III. And be it further enacted by the Authority aforesaid, That all Person and Persons, Bodies Politick and Corporate whatsoever, which now are or hereafter shall be, shall stand and be disabled and incapable to have, use, exercise or put in Ure any Monopoly, or any such Commission, Grant, Licence, Charter, Letters Patents, Proclamation, Inhibition, Restraint, Warrant

Monopolies, &c.
forbidden.

of

of Assistance or other Matter or Thing tending as aforesaid, or any Liberty, Power or Faculty, grounded or pretended to be grounded upon them or any of them.

Party grieved by
pretext of Mono-
poly, &c.

IV. And be it further enacted by the Authority aforesaid, That if any Person or Persons at any Time after the End of Forty Days next after the End of this present Session of Parliament, shall be hindered, grieved, disturbed or disquieted, or his or their Goods or Chattels any way seized, attached, distrained, taken, carried away or detained, by occasion or pretext of any Monopoly, or of any such Commission, Grant, Licence, Power, Liberty, Faculty, Letters Patents, Proclamation, Inhibition, Restraint, Warrant of Assistance or other Matter or Thing tending as aforesaid, and will sue to be relieved in or for any of the Premises; that then and in every such Case, the same Person and Persons shall and may have his and their Remedy for the same at the Common Law, by any Action or Actions to be grounded upon this Statute; the same Action and Actions to be heard and determined in the Courts of King's Bench, Common Pleas and Exchequer, or in any of them, against him or them by whom he or they shall be so hindered, grieved, disturbed or disquieted, or against him or them by whom his or their Goods or Chattels shall be so seized, attached, distrained, taken, carried away or detained; wherein all and every such Person and Persons which shall be so hindered, grieved, disturbed or disquieted, or whose Goods or Chattels shall be so seized, attached, distrained, taken, carried away or detained, shall recover Three Times so much as the Damages which he or they sustained by means or occasion of being so hindered, grieved, disturbed or disquieted, or by means of having his or their Goods or Chattels seized, attached, distrained, taken, carried away or detained, and double Costs; and in such Suits, or for the staying or delaying thereof, no Essoin, Protection, Wager of Law, Aid Prayer, Privilege, Injunction or Order of Restraint, shall be in any wise prayed, granted, admitted or allowed, nor any more than one Imparlance: And if any Person or Persons shall, after Notice given that the Action depending is grounded upon this Statute, cause or procure any Action at the Common Law, grounded upon this Statute, to be stayed or delayed before Judgment, by colour or means of any Order, Warrant, Power or Authority, save only of the Court wherein such Action as aforesaid shall be brought and depending, or after Judgment had upon such Action, shall cause or procure the Execution of or upon any such Judgment to be stayed or delayed by colour or means of any Order, Warrant, Power or Authority, save only by Writ of Error or Attaint; that then the said Person and Persons so offending shall incur and sustain the Pains, Penalties and Forfeitures ordained and provided by the Statute of Provision and *Premunire* made in the Sixteenth Year of the Reign of King *Richard* the Second.

Remedy.

Treble Damages.

Double Costs.

Delaying Action.

Premunire.

16 R. 2. c. 5.

Proviso for
new Manufactures for 21
Years.

V. Provided nevertheless, and be it declared and enacted, That any Declaration before mentioned shall not extend to any Letters Patents and Grants of Privilege for the Term of One and twenty Years or under, heretofore made, of the sole working or making of any manner of new Manufacture within this Realm, to the first and true Inventor or Inventors of such Manufactures, which others at the time of the making of such Letters Patents and Grants did not use, so they be not contrary to the Law, nor mischievous

to the State, by raising of the Prices of Commodities at home, or hurt of Trade, or generally inconvenient; but that the same shall be of such Force as they were or should be, if this Act had not been made, and of none other: And if the same were made for more than One and twenty Years, that then the same for the Term of One and twenty Years only, to be accounted from the Date of the first Letters Patents and Grants thereof made, shall be of such Force as they were or should have been, if the same had been made but for Term of One and twenty Years only, and as if this Act had never been had or made, and of none other.

VI. Provided also, and be it declared and enacted, That any Declaration before mentioned shall not extend to any Letters Patents and Grants of Privilege for the Term of Fourteen Years or under, hereafter to be made, of the sole working or making of any manner of new Manufactures within this Realm, to the true and first Inventor and Inventors of such Manufactures, which others at the time of making such Letters Patents and Grants shall not use, so as also they be not contrary to the Law, nor mischievous to the State, by raising Prices of Commodities at home, or Hurt of Trade, or generally inconvenient; the said Fourteen Years to be accounted from the Date of the first Letters Patents, or Grant of such Privilege hereafter to be made, but that the same shall be of such Force as they should be, if this Act had never been made, and of none other.

VII. Provided also, and it is hereby further intended, declared and enacted by Authority aforesaid, That this Act or any Thing therein contained shall not in any wise extend, or be prejudicial to any Grant or Privilege, Power or Authority whatsoever heretofore made, granted, allowed or confirmed by any Act of Parliament now in force, so long as the same shall so continue in force.

VIII. Provided also, That this Act shall not extend to any Warrant or Privy Seal, made or directed, or to be made or directed by His Majesty, His Heirs or Successors, to the Justices of the Courts of the King's Bench or Common Pleas, and Barons of the Exchequer, Justices of Assize, Justices of Oyer and Terminer and Gaol-delivery, Justices of the Peace, and other Justices for the time being, having Power to hear and determine Offences done against any Penal Statute, to compound for the Forfeitures of any Penal Statute, depending in Suit and Question before them or any of them respectively, after Plea pleaded by the Party Defendant.

IX. Provided also, and it is hereby further intended, declared and enacted, That this Act or any Thing therein contained shall not in any wise extend or be prejudicial unto the City of London, or to any City, Borough or Town Corporate within this Realm, for or concerning any Grants, Charters or Letters Patents, to them or any of them made or granted, or for or concerning any Custom or Customs used by or within them or any of them; or unto any Corporations, Companies or Fellowships of any Art, Trade, Occupation or Mystery, or to any Companies or Societies of Merchants within this Realm, erected for the Maintenance, Enlargement or ordering of any Trade of Merchandize; but that the same Charters, Customs, Corporations, Companies, Fellowships and Societies, and their Liberties, Privileges, Powers and Immunities, shall be and continue of such Force and Effect as

they were before the making of this Act, and of none other; any Thing before in this Act contained to the contrary in any wise notwithstanding.

Proviso for Letters Patents that concern Printing, &c.

X. Provided also, and be it enacted, That this Act, or any Declaration, Provision, Disablement, Penalty, Forfeiture or other Thing before mentioned, shall not extend to any Letters Patents or Grants of Privilege heretofore made, or hereafter to be made, of, for or concerning Printing, nor to any Commission, Grant or Letters Patents heretofore made, or hereafter to be made, of, for or concerning the digging, making or compounding of Salt-petre or Gunpowder, or the casting or making of Ordnance, or Shot for Ordnance, nor to any Grant or Letters Patents heretofore made, or hereafter to be made, of any Office or Offices heretofore erected, made or ordained, and now in being, and put in Execution, other than such Offices as have been decreed by any his Majesty's Proclamation or Proclamations: But that all and every the same Grants, Commissions and Letters Patents, and all other Matters and Things tending to the maintaining, strengthening and Furtherance of the same, or any of them, shall be and remain of the like Force and Effect, and no other, and as free from the Declarations, Provisions, Penalties and Forfeitures contained in this Act, as if this Act had never been had nor made, and not otherwise.

For Commissions for Allum Mines.

XI. Provided also, and be it enacted, That this Act, or any Declaration, Provision, Disablement, Penalty, Forfeiture or other Thing before mentioned, shall not extend to any Commission, Grant, Letters Patents or Privilege heretofore made, or hereafter to be made, of, for or concerning the digging, compounding or making of Allum or Allum Mines, but that all and every the same Commissions, Grants, Letters Patents and Privileges shall be and remain of the like Force and Effect, and no other, and as free from the Declarations, Provisions, Penalties and Forfeitures contained in this Act, as if this Act had never been had nor made, and not otherwise.

For Liberties of Newcastle upon Tyne.

XII. Provided also, and be it enacted, That this Act, or any Declaration, Provision, Penalty, Forfeiture or other Thing before mentioned, shall not extend or be prejudicial to any Use, Custom, Prescription, Franchise, Freedom, Jurisdiction, Immunity, Liberty or Privilege heretofore claimed, used or enjoyed by the Governors and Stewards, and Brethren of the Fellowship of the Hoast-men of the Town of *Newcastle upon Tyne*, or by the antient Fellowship, Guild or Fraternity, commonly called Hoast-men, for or concerning the selling, carrying, lading, disposing, shipping, venting or trading of or for any Sea-coals, Stone-coals or Pit-coals, forth or out of the Haven and River of *Tyne*; or to any Grant made by the said Governor and Stewards, and Brethren of the Fellowship of the said Hoast-men, to the late Queen *Elizabeth*, of any Duty or Sum of Money to be paid for or in respect of any such Coals as aforesaid; nor to any Grants, Letters Patents or Commission, heretofore granted, or hereafter to be granted, of, for or concerning the licensing of the keeping of any Tavern or Taverns, or selling, uttering or retailing of Wines to be drunk or spent in the Mansion House or Houses, or other Place in the Tenure or Occupation of the Party or Parties so selling or uttering the same; or for or concerning the making of any Compositions
for

And Licences of Keeping Taverns.

for such Licences; so as the Benefit of such Compositions be reserved and applied to and for the Use of His Majesty, His Heirs or Successors, and not to the private Use of any other Person or Persons:

“ Proviso for Letters Patents to Sir *Robert Mansel* Knight, or
 “ to *James Maxwell* Esquire, concerning the Exportation of
 “ Calve Skins. § 13. And for Letters Patents granted to *Abraham*
 “ *Baker* for making of Smalt, &c. And for Privilege granted to
 “ *Edward Lord Dudley* for melting of Iron Ewer, &c. § 14.

C A P. IV.

An Act for the Ease of the Subject, concerning the Informations upon Penal Statutes.

‘ WHEREAS the Offences against divers and sundry Penal
 ‘ Laws and Statutes of this Realm may better, and with
 ‘ more Ease and less Charge to the Subject, be commenced, sued,
 ‘ informed against, prosecuted and tried in the Counties where
 ‘ such Offences shall be committed: And whereas the poor Com-
 ‘ mons of this Realm are grievously charged, troubled, vexed,
 ‘ molested and disturbed by divers troublesome Persons, commonly
 ‘ called Relators, Informers and Promoters, by prosecuting and
 ‘ enforcing them to appear in His Majesty’s Courts at *Westminster*,
 ‘ and to answer Offences supposed by them to be committed
 ‘ against the said Penal Laws and Statutes, or else to compound
 ‘ with them for the same:’ For Remedy whereof, be it enacted
 by the Authority of this present Parliament, That all Offences
 hereafter to be committed against any Penal Statute, for which
 any Common Informer or Promoter may lawfully ground any
 Popular Action, Bill, Complaint, Suit or Information, before Justices
 of Assize, Justices of *Nisi prius* or Gaol-delivery, Justices of *Oyer*
 and *Terminer*, or Justices of Peace in their General or Quarter-
 Sessions, shall, after the End of this present Session of Parliament,
 be commenced, sued, prosecuted, tried, recovered and determined,
 by way of Action, Complaint, Bill, Information or Indictment, be-
 fore the Justices of Assize, Justices of *Nisi Prius*, Justices of
Oyer and *Terminer* and Justices of Gaol-delivery, or before the
 Justices of Peace of every County, City, Borough or Town
 Corporate and Liberty, having Power to enquire of, hear and
 determine the same, within this Realm of *England* or Dominion
 of *Wales*, wherein such Offences shall be committed, in any of the
 Courts, Places of Judicature or Liberties aforesaid respectively,
 only at the Choice of the Parties which shall or will commence
 Suit or prosecute for the same, and not elsewhere, save only in
 the said Counties, or Places usual for those Counties, or any of
 them: And that the like Process upon every popular Action,
 Bill, Complaint, Information or Suit, to be commenced or sued, or
 prosecuted after the End of this present Session of Parliament, by
 force of or according to the Purport of this Act, be had and
 awarded, to all Intents and Purposes, as in an Action of *Trespass*,
Vi & Armis, at the Common Law; and that all and all manner
 of Informations, Actions, Bills, Complaints and Suits whatsoever,
 hereafter to be commenced, sued, prosecuted or awarded, either
 by the Attorney General of His Majesty, his Heirs or Successors
 for the time being, or by any Officer or Officers whatsoever for

Informations
upon Penal Sta-
tutes where
prosecuted.

the time being, or by any Common Informer or other Person whatsoever, in any of his Majesty's Courts at *Westminster*, for or concerning any of the Offences, Penalties or Forfeitures aforesaid, shall be void and of none Effect; any Law, Custom or Usage to the contrary thereof notwithstanding.

In what Case
Defendant to be
found Not guilty.

II. And be it further enacted by the Authority aforesaid, That in all Informations to be exhibited, and in all Bills, Counts, Plaints and Declarations, in any Action or Suit to be commenced against any Person or Persons, either by or on the Behalf of the King, or any other, for or concerning any Offence committed or to be committed against any Penal Statute, the Offence shall be laid and alledged to have been committed in the said County where such Offence was in truth committed, and not elsewhere: And if the Defendant to any such Information, Action or Suit, pleadeth that he oweth nothing, or that he is not guilty, and the Plaintiff or Informer in such Information, Action or Suit, upon Evidence to the Jury that shall try such Issue, shall not both prove the Offence laid in the said Information, Action or Suit, and that the same Offence was committed in that County, then the Defendant and Defendants shall be found not guilty.

Informer to
make Oath that
Offence com-
mitted in County
where Suit com-
menced.

III. And be it further enacted by the Authority aforesaid, That no Officer or Minister in any Court of Record shall receive, file or enter of Record any Information, Bill or Complaint, Count or Declaration, grounded upon the said Penal Statutes, or any of them, which before by this Act are appointed to be heard and determined in their proper Counties, until the Informer or Relator hath first taken a corporal Oath before some of the Judges of that Court, that the Offence or Offences laid in such Information, Action, Suit or Complaint, was or were not committed in any other County than where by the said Information, Bill, Complaint, Count or Declaration, the same is or are supposed to have been committed, and that he believeth in his Conscience, the Offence was committed within a Year before the Information or Suit, within the same County where the said Information or Suit was commenced †, the same Oath to be there entered of Record.

† Sic.

General Issue.

IV. And be it also enacted by the Authority aforesaid, That if any Information, Suit or Action shall be brought or exhibited against any Person or Persons, for any Offence committed or to be committed against the Form of any Penal Law, either by or on the Behalf of the King, or by any other, or on the Behalf of the King and any other, it shall be lawful for such Defendants to plead the General Issue, that they are not guilty, or that they owe nothing, and to give such special Matter in Evidence to the Jury that shall try the same, which Matter being pleaded, had been a good and sufficient Matter in Law to have discharged the said Defendant or Defendants against the said Information, Suit or Action, and the said Matters shall be then as available to him or them, to all Intents and Purposes, as if he or they had sufficiently pleaded, set forth or alledged the same Matter in Bar, or Discharge of such Information, Suit or Action.

Offences ex-
cepted.

V. Provided always, That this Act, or any Clause contained therein, shall not extend to any Information, Suit or Action, grounded upon any Law or Statute made against Popish Recusants, or for or concerning Popish Recusancy, or against those that shall not frequent the Church and hear Divine Service; nor
to

to any Information, Suit or Action, for Maintenance, Champerty or buying of Titles; nor to any Suit or Information grounded upon the Statute made in the First Year of the Reign of our Sovereign Lord the King, of a Subsidy granted to the King, of Tonnage, Poundage, Wool, &c.; nor for or concerning the concealing or defrauding the King, his Heirs or Successors, of any Custom, Tonnage, Poundage, Subsidy, Impost or Prifage; or for transporting of Gold, Silver, Ordnance, Powder, Shot, Munition of all Sorts, Wool, Wool-fells or Leather, but that such Offence may be laid or alledged to be in any County, at the Pleasure of any Informer; any Thing in this Act to the contrary notwithstanding.

1 Jac. I. c. 33.

C A P. V.

An Act that Sheriffs, their Heirs, Executors and Administrators, having a *Quietus est*, shall be absolutely discharged of their Accounts.

FORASMUCH as divers Sheriffs of several Counties within this Realm of *England* and Dominion of *Wales* have been of late much troubled and vexed long time after that they have passed their Accounts, and had their *Quietus est*, and charged a-new with Arrearages, Debts and other Sums of Money pretended to have been by them levied and received, and not formerly accounted for, to the great Discouragement of others, to take upon them the said Office: Be it therefore enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whensoever any Sheriff or Sheriffs within this Realm of *England* or Dominion of *Wales*, upon the passing of their Accounts, shall have their *Quietus est*, that then and from thenceforth the said Sheriff or Sheriffs, their Heirs, Executors and Administrators, Lands, Tenements, Goods and Chattels, shall be absolutely discharged of all manner of Sum or Sums of Money which he or they shall have so levied or received, and pretended not to be accounted for within the said Account whereupon he or they had their *Quietus est*, unless such Sheriff or Sheriffs shall be called in question for such Sum or Sums of Money pretended to be levied and received, and not accounted for, within the Space of Four Years after the time of their said Account and *Quietus est* (a). And that every Officer or Minister that shall send out or cause to be sent out any Writ or Process, or by whose Default any Writ or Process shall be sent out, contrary to this Act, shall, for every such Offence, forfeit and pay to the Party grieved Forty Pounds, with his Costs and Damages; the said Sum of Forty Pounds and the said Costs and Damages to be recovered by any Action of Debt, Bill, Plaint or Information, to be brought and prosecuted in the Court of the King's Bench or the Court of the Common Pleas, at the Election of the Plaintiff: Wherein no Privilege, Protection, Essoin or Wager of Law shall be allowed to the Defendant.

Quietus est shall discharge Sheriff of all Accounts to the King,

unless questioned within Four Years.

Officer acting contrary to Act.

Penalty.

Third Offence.

II. And further be it enacted, That every such Offender being Three Times lawfully convicted of any such Offence or Offences,

(a) [*Explained and enforced, 13 & 14 Car. 2. c. 21. § 8.*]

Penalty.

upon the Trial of such Action of Debt, Bill, Plaint or Information, shall, for such his Offence or Offences contrary to the true Meaning of this Act, be utterly disabled to be or continue in any Office or Employment in the said Court of Exchequer, or in any other Court of Justice whatsoever.

C A P. VI.

An Act concerning Women convicted of small Felonies.

Where Clergy
allowed to the
Man, the Wo-
man to be burned
in the Hand.

WHEREAS by the Laws of this Realm the Benefit of Clergy is not allowed to Women convicted of Felony, by reason whereof many Women do suffer Death for small Causes; Be it enacted by the Authority of this present Parliament, That any Woman being lawfully convicted by her Confession or by the Verdict of Twelve Men, of or for the felonious taking of any Money, Goods or Chattels, above the Value of Twelve Pence, and under the Value of Ten Shillings, or as accessory to any such Offence, the said Offence being no Burglary nor Robbery in or near the Highway, nor the felonious taking of any Money, Goods or Chattels, from the Person of any Man or Woman privily, without his or their Knowledge, but only such an Offence, as in the like Case a Man might have his Clergy, shall for the first Offence be branded and marked in the Hand, upon the Brawn of the Left Thumb with a hot burning Iron, having a Roman T upon the said Iron: The said Mark to be made by the Gaoler openly in the Court before the Judge; and also to be further punished by Imprisonment, Whipping, Stocking or sending to the House of Correction, in such Sort, Manner and Form, and for so long time (not exceeding the Space of one whole Year) as the Judge, Judges or other Justices before whom she shall be so convicted, or which shall have Authority in the Cause, shall in their Discretion think meet, according to the Quality of the Offence, and then to be delivered out of Prison for that Offence; any Law, Custom or Usage to the contrary notwithstanding. This Act to continue until the End of the First Session of the next Parliament.

Continuance.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4. See 3 W. & M. c. 9. § 6.]

C A P. VII.

An Act for the better repressing of Drunkenness, and restraining the inordinate Haunting of Inns, Alehouses and other Victualling-houses.

1 Jac. 1. c. 9.

4 Jac. 1. c. 5.
made perpetual.

WHEREAS one Statute, intituled, *An Act to restrain the inordinate Haunting or Tipling in Inns, Alehouses, and other Victualling-houses*, made in the first Year of his Highness happy Reign of England, and another Statute, intituled, *An Act to repress the odious and loathsome Sin of Drunkenness*, made in the Fourth Year of his Highness Reign of England, were made to continue to the End of the First Session of the next Parliament, and by Experience have been found good and necessary Laws; Be it therefore enacted, That the said Statutes, with the Alterations and Additions hereafter expressed, shall be put in due Execution and continue for ever: And whereas by the said Statutes,

tutes, Proof of Two Witnesses is required, Be it enacted, That One Witness
Proof of one Witness from henceforth shall be allowed and taken sufficient.
for sufficient in that Behalf: And that the voluntary Confession
(before any such Persons as by the said Act are authorized to
minister the Oath) of any Person offending either of the said Oath.
Statutes, shall suffice to convince the Person so offending; after
such Confession, the Oath of the Party so confessing shall and may
be taken, and be a sufficient Proof against any other offending at
the same time.

II. And be it further enacted, That if any other Person or Tippling in an
Persons, whosoever his or their Habitation or Abiding be, shall Inn, &c.
at any time hereafter be found upon View, or his own Con-
fession, or Proof of one Witness, to be tippling in any Inn, Ale-
house or Victualling-house, such Person or Persons shall be from
henceforth adjudged and construed to be within the said Statutes,
as if he or they had inhabited and dwelt in the City, Town Cor-
porate, Market-Town, Village or Hamlet, where the said Inn,
Alehouse or Victualling-house is or shall be, where he or they
shall be so found tippling, and shall incur the like Penalty, and the Penalty.
same to be in such sort levied and disposed, as in the said Act is
expressed concerning such as there inhabit: And the voluntary
Confession of such Person or Persons so offending, before such as
by the said Statutes are authorized to minister the Oath, shall 4 Jac. I. c. 5.
suffice to convince themselves; and after such Confession, the
Oath of such Person or Persons so confessing, shall and may be
taken by such as by the said Act have Authority to minister an
Oath, and shall be a sufficient Proof against any other offending
at that time.

III. And be it further enacted, That any Justice of Peace in Drunkenness.
any County, and any Justice of Peace or other Head Officer in
any City or Town Corporate, within their Limits respectively,
shall from henceforth have Power and Authority, upon his own
View, Confession of the Party, or Proof of one Witness upon
Oath before him, which he by virtue of this Act shall have Power
to administer, to convince any Person of the Offence of Drunken-
ness, whereby such Person so convicted shall incur the Forfeiture
of Five Shillings for every such Offence, and the same to be Penalty.
levied, or the Offender otherwise punished, as in the said Statute
is appointed: And for the second Offence he shall become bound Second Offence.
to the good Behaviour, as if he had been convicted in open
Sessions; any Thing in the said former Statute made in the Fourth
Year of His Majesty's Reign to the contrary notwithstanding.

IV. And be it further enacted, That if any Person being an Alehouse-keeper
Alehouse-keeper
offending.
offending, or that shall at any time hereafter be an Ale-
house-keeper, shall at any time hereafter be lawfully convicted for
any Offence against any the Branches of either of the said Two
former Statutes, according to the Alterations and Additions
therein contained, or against the true Meaning of this present Sta-
tute; that every Person so convicted shall, for the Space of Three
Years next ensuing the said Conviction, be utterly disabled to keep
any such Alehouse. Penalty.

V. And whereas in the said Statute made in the Fourth Year 4 Jac. I. c. 5. § 7.
of his said Majesty's Reign, intituled, *An Act to repress the odious*
and loathsome Sin of Drunkenness, Constables, Churchwardens;
Headboroughs, Tithing-men, Aleconners and Sidemen, are ap-
pointed

Oath of Con-
stables, &c.
enlarged.

1 Jac. I. c. 9.

‘ pointed in the Oaths incident to their Offices, to be likewise
‘ charged to present the Offences contrary to the said Statute ;’
Be it enacted, That the said Oath shall always hereafter be also
enlarged, and extend to present all Offences done contrary to the
Statute made in the first Session of Parliament held in the first
Year of his Highness Reign, intituled, *An Act to restrain the
inordinate Haunting and Tipling in Inns and Alehouses, and other
Viſualling-houses*, with the Alterations and Additions in this Act
contained, made in the said Fourth Year of his said Majesty’s
Reign, according to the Alterations and Additions of the same
in this Act expressed.

[See further, 1 Car. I. c. 4.]

C A P. VIII.

An Act to prevent and punish the Abuses in procuring
Process and *Superfedeas* of the Peace and good Behaviour,
out of His Majesty’s Courts at *Westminster*; and to prevent
the Abuses in procuring Writs of *Certiorari* out of the said
Courts, for the removing of Indictments found before
Justices of the Peace in their General Sessions.

‘ **W**HEREAS divers turbulent and contentious Persons,
‘ some out of Malice and others in Hope of Gain by way
‘ of Composition, do oftentimes upon their corporal Oaths per-
‘ emptorily and corruptly taken, or otherwise upon false Sug-
‘ gestions and Surmises, procure Process of the Peace or good
‘ Behaviour out of his Majesty’s Courts of Chancery and King’s
‘ Bench, against divers of his Majesty’s quiet Subjects, whose
‘ Dwellings and Abodes are (for the most Part) in Counties far
‘ distant and remote from the said Courts, to their intolerable
‘ Trouble and Vexation, whereas they might upon good Cause
‘ shewed receive Justice at the Hands of the Justices of the Peace
‘ in the Counties where they dwell :’

Process and Writs
of *Superfedeas*,
&c. how granted.

II. For Remedy whereof, Be it enacted by the Authority of
this present Parliament, That all Process of the Peace or good
Behaviour, after the End of this Session of Parliament to be granted
or awarded out of the same Courts or either of them, against any
Person or Persons whatsoever, at the Suit of or by the Prosecu-
tion of any Person or Persons whatsoever, shall be void and of
none effect, unless such Process shall be so granted or awarded,
upon Motion first made before the Judge or Judges of the same
Courts respectively, sitting in open Court, and upon Declaration
in Writing, upon their corporal Oaths, to be then exhibited unto
them, by the Parties which shall desire such Process, of the Causes
for which such Process shall be granted or awarded, by or out of
any the said Courts respectively, and unless that such Motion and
Declaration be mentioned to be made upon the Back of the Writ ;
the said Writings there to be entered and remain of Record : And
that if it shall afterwards appear unto the said Courts or either of
them respectively, that the Causes expressed in such Writings or
any of them be untrue, that then the Judge or Judges of the said
Courts or either of them respectively, shall and may award such
Costs and Damages unto the Parties grieved, for their or any of
their wrongful Vexations in that Behalf, as they shall think fit :

Certioraries,
where allowed.

Costs.

And

And that the Party or Parties so offending shall and may be committed to Prison by such Judge or Judges, until he or they pay the said Costs and Damages.

‘ III. And whereas divers turbulent and contentious Persons, deservedly fearing to be bound to the Peace or good Behaviour by the Justices of Peace of the Counties where they dwell, do oftentimes procure themselves to be bound to the Peace or good Behaviour in the said Courts or one of them, upon insufficient Sureties, or upon colourable Prosecution of some Person or Persons, who will be ready at all Times to release them at their own Pleasure; whereupon his Majesty’s Writs of *Superfedeas* are oftentimes directed to the Justices of Peace and other his Majesty’s Officers, requiring them and every of them to forbear to arrest or imprison the Parties aforesaid for the Causes abovesaid; by means whereof the said turbulent and contentious Persons misdemean themselves amongst their Neighbours with Impunity, to the great Offence and Disturbance of their Neighbours amongst whom they converse and live, and to the Affront of the Justices of Peace, and to the evil Example and Encouragement of like evil disposed Persons:’ Be it therefore enacted by the Authority aforesaid, That all Writs of *Superfedeas* after the End of this present Session of Parliament, to be granted by or out of either of the Courts aforesaid, shall be void and of none effect, unless such Process be granted likewise upon Motion in open Court first made as aforesaid, and upon such sufficient Sureties, as shall appear unto the Judge or Judges of the same Court respectively upon Oath, to be assessed at Five Pounds Lands, or Ten Pounds in Goods, in the Subsidy-Book, at the least; which Oaths, and the Names of such Sureties, with the Places of their Abode, and where they stand so assessed in the Subsidy Books, shall be entered and remain of Record in the same Courts: And unless it shall also first appear unto the said Judge or Judges, from whom such *Superfedeas* is desired, that the Process of the Peace, or good Behaviour, is prosecuted against him or them, desiring such *Superfedeas bona fide*, by some Party grieved, in that Court out of which such *Superfedeas* is desired to be so awarded and directed.

Superfedeas.

In what Cases void.

‘ IV. And whereas divers lewd and evil disposed Persons, commonly called common Bailers or Knights of the Post, being base and beggarly Persons, do oftentimes procure themselves to be assessed at high Rates in the Subsidy Books, and sometimes do falsely take upon them the Names of other Men of good Ability, of purpose to enable themselves to be accepted for Bail, which Persons being of small or no Ability or Worth, are ready for Lucre and Gain to become bound by Recognizance as Sureties for such Persons as shall procure themselves to be bound to the Peace or good Behaviour as aforesaid; by means whereof the Judge or Judges of the said Courts not knowing them, may be easily abused and Justice deluded:’

V: Be it further enacted by the Authority aforesaid, That the Judge or Judges of the Courts aforesaid respectively, or either of them, upon Proof of any the Misdemeanors aforesaid, to be committed in the obtaining of the aforesaid Writs of *Superfedeas*, or procuring such Surety as aforesaid, shall and may likewise punish the false and insufficient Sureties and Bailers aforesaid, and

False Sureties.

Punishment.

the

the Procurers thereof, according to their Discretions, so as such Punishment extend not to the Loss of Life or Member.

VI. And whereas divers Bills of Indictments of Riots, forcible Entry, or of Assault and Battery, being found before the Justices of Peace at their Quarter-Sessions of the Peace or otherwise, are oftentimes removed from the Counties where such Indictments are found, by Writs of *Certiorari* unto them directed out of the said Courts, by or by the Means of the Persons so indicted, who well know that few or no Persons grieved by such their Outrages and Misdemeanors whereof they stand so indicted, will undergo the Travel or Charge of Prosecution of such Indictments so removed, by bringing the Parties so indicted to Trial; by means whereof, such Offenders for the most Part escape unprosecuted and unpunished, and the King loseth the Fines which ought and should have been imposed upon them, if such Indictments had been prosecuted, and not removed :

In what Case
Certioraries
allowed.

VII. Be it therefore enacted, That all such Writs of *Certiorari* shall, from and after the End of this present Session of Parliament, be delivered at some Quarter-Sessions of the Peace in open Court ; And that the Parties indicted shall before the Allowance of such *Certioraries* become bound unto such Person or Persons which shall prosecute such Bills of Indictment against them, in the Sum of Ten Pounds, with such sufficient Sureties as the Justices of Peace at their said Quarter-Sessions of the Peace shall think fit, with Condition to pay unto the said Prosecutors of such Bills of Indictment, within one Month after the Conviction of such Parties indicted, such reasonable Costs and Damages as the said Justices of Peace of such Counties where such Bills of Indictment shall be found, in the said Sessions of the Peace shall assess or allow ; and that in Default thereof, it shall be lawful for the said Justices to proceed to Trial of such Indictments ; any such Writs of *Certiorari* to remove the same Indictments notwithstanding.

Costs.

C A P. IX.

EXP.

An Act for the free Trade and Traffick of *Welsh* Cloths, Cottons, Frizes, Linings and Plains in and through the Kingdom of *England* and Dominion of *Wales*.

C A P. X.

An Act of Repeal of one Branch of the Statute made in the Session of Parliament holden by Prorogation at *Westminster* the Two and twentieth Day of *January* in the Four and thirtieth Year of the Reign of King *Henry* the Eighth, intituled, *An Act for certain Ordinances in the King's Majesty's Dominion and Principality of Wales*.

WHEREAS the Subjects of the Country and Dominion of *Wales* have been constantly loyal and obedient, and have lived in all dutiful Subjection to the Crown of *England* : And whereas by an Act of Parliament made in the Four and thirtieth Year of the Reign of the late King *Henry* the Eighth, intituled, *An Act for certain Ordinances in the King's Majesty's Dominion and Principality of Wales*, amongst other Things, it is enacted and ordained in these Words :

34 & 35 H. 8.
c. 26.

§ II. Item,

II. *Item*, It is further enacted by the Authority aforesaid, That the King's most Royal Majesty shall and may at all Times hereafter from time to time change, add, alter, order, diminish and reform all manner of Things afore rehearsed, as to his most excellent Wisdom and Discretion shall be thought convenient; and also to make Laws and Ordinances for the Commonwealth, and good Quiet of his said Dominion of *Wales*, and his Subjects of the same, from time to time at his Majesty's Pleasure; any Thing contained in this Act, or in the said Act made for the Shire-Ground of *Wales*, or any other Act or Acts, Thing or Things, to the contrary thereof heretofore made in any wise notwithstanding; And that all such Alterations of the Premises or any Part thereof, and all such Laws and Ordinances to be hereafter made, devised and published by Authority of this Act, by the King's Majesty in Writing under his Highness Great Seal, shall be of as good Strength, Virtue and Effect, as if they had been had and made by Authority of Parliament:

§ 119.

III. And forasmuch as it is manifest by long Experience, That the Laws and Statutes already ordained for the said Country are in Effect and for the most Part agreeable to the Laws and Statutes of this his Highness Kingdom of *England*, and all and every of the same obeyed with great Alacrity; and for that after so long a Quiet among them, any future Change or Innovation herein would be dangerous, and for the Abolition of Distinction and Difference between the Subjects of *England* and *Wales*, His most excellent Majesty, tendering the common and constant Good of the said Country and Dominion of *Wales*, and of their Posterity for ever hereafter, is graciously pleased, That it may be enacted by His Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled;

§ 120.

IV. And be it enacted by the Authority of the same, That the said recited Branch of the said Act of Parliament, and every Article, Word and Sentence in that Branch contained, be utterly repealed and made void and of none Effect, to all Intents, Constructions and Purposes, as if the said Branch had never been made nor contained in the said Act: And that the King's Majesty, his Heirs or Successors, shall not by virtue of the said Clause or Branch in the said Act, at any Time hereafter alter, change or reform any Laws, Usage or Customs, or make any new Laws for or concerning the said Dominion or Principality of *Wales*.

34 & 35 H. 8.
c. 26. § 119, 120.
repealed.

V. Provided always, and be it enacted by the Authority aforesaid, That all and every Clause, Article and Thing contained in the aforesaid Act of Parliament, other than the aforesaid Branch before recited, shall stand, remain and be in as full Force and Effect, to all Intents, Constructions and Purposes, as if this present Act had never been had or made.

Residue confirmed.

C A P. XI.

An Act for Confirmation of a Judgment given for His Majesty in a *Scire facias* against *Henry Heron*, and for Declaration of the Letters Patents therein mentioned to be void,

C A P.

C A P. XII.

An Act to enlarge and make perpetual the Act made for Ease in Pleading against troublesome and contentious Suits prosecuted against Justices of the Peace, Mayors, Constables and certain others, His Majesty's Officers, for the lawful Execution of their Office, made in the Seventh Year of His Majesty's most happy Reign.

7 Jac. I. c. 5.

‘ WHEREAS an Act, intituled, *An Act for Ease in Pleading against troublesome and contentious Suits prosecuted against Justices of the Peace, Mayors, Constables and certain other His Majesty's Officers, for the lawful Execution of their Office*, made in the Seventh Year of his Majesty's most happy Reign of England, was made to continue but for Seven Years, and from thence to the End of the next Parliament after the said Seven Years, which by Experience hath since been found to be a good and profitable Law :’

made perpetual.

II. Be it therefore enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall, from and after the End of this present Session of Parliament, be perpetual, and have Continuance for ever.

Churchwardens,
&c. within
7 Jac. I. c. 5.

III. And be it further enacted by the Authority aforesaid, That all Churchwardens, and all Persons called Sworn-Men, executing of the Office of Churchwardens, and all Overseers of the Poor, and all others which in their Aid and Assistance, or by their Commandment, shall do any Thing touching or concerning his or their Office or Offices, shall hereafter be enabled to receive and have such Benefit and Help by virtue of the said Act, to all Intents, Constructions and Purposes, as if they had been specially named therein.

‘ IV. And whereas notwithstanding the said Statute, the Plaintiff is at Liberty to lay his Action which he shall bring against any Justice of Peace, or other Officer, in any foreign County at his Choice, which hath proved very inconvenient unto sundry of the Officers and Persons aforesaid, that have been impleaded by some contentious and troublesome Persons in Counties far remote from their Places of Habitations :’

Action against
Officer, how laid.

V. Be it therefore further enacted by the Authority aforesaid, That if any Action, Bill, Complaint or Suit upon the Case, Trespass, Battery or false Imprisonment, shall be brought after the End of this present Session of Parliament, against any Justice of Peace, Mayor or Bailiff of City or Town Corporate, Headborough, Portreve, Constable, Tithingman, Collector of Subsidy or Fifteens, Churchwardens and Persons called Sworn-Men, executing the Office of Churchwarden or Overseer of the Poor, and their Deputies, or any of them, or any other which in their Aid and Assistance, or by their Commandment, shall do any Thing touching or concerning his or their Office or Offices, for or concerning any Matter, Cause or Thing, by them or any of them done by virtue or reason of their or any of their Office or Offices, that the said Action, Bill, Complaint or Suit shall be laid within the County where the Trespass or Fact shall be done and committed, and not elsewhere ;

elsewhere; and that it shall be lawful to and for all and every Person and Persons aforesaid, to plead thereunto the General Issue, that he or they are not guilty, and to give such special Matter in Evidence to the Jury which shall try the same, as in or by the said former Act is limited or declared: And that if upon the Trial of any such Action, Bill, Plaint or Suit, the Plaintiff or Plaintiffs therein shall not prove to the Jury which shall try the same, that the Trespass, Battery, Imprisonment or other Fact or Cause of his, her or their such Action, Bill, Plaint or Suit was or were had, made, committed or done within the County wherein such Action, Bill, Plaint or Suit shall be laid, that then in every such Case, the Jury which shall try the same shall find the Defendant and Defendants in every such Action, Bill, Plaint or Suit, not guilty, without having any regard or respect to any Evidence given by the Plaintiff or Plaintiffs therein, touching the Trespass, Battery, Imprisonment or other Cause for which the same Action, Bill, Plaint or Suit is or shall be brought; and if the Verdict shall pass with the Defendant or Defendants in any such Action, Bill, Plaint or Suit, or the Plaintiff or Plaintiffs therein become nonsuit, or suffer any Discontinuance thereof, that in every such Case the Defendant or Defendants shall have such Double Costs, and all other Advantages and Remedies, as in and by the said former Act is limited, directed or provided.

General Issue.

Double Costs.

[*As extended*, 42 G. 3. c. 85. § 6.]

C A P. XIII.

An Act for the further Reformation of Jeofails.

WHEREAS in the Two and thirtieth Year of the Reign of King Henry the Eighth, of famous Memory, a good and profitable Law, intituled, *An Act concerning Mispleading, Jeofails and Attornies*, was made and enacted: And likewise another good and profitable Law was made in the Eighteenth Year of the Reign of our late Sovereign Lady Queen Elizabeth, intituled, *An Act for Reformation of Jeofails*; by which Laws many Delays of Judgments were prevented, and yet notwithstanding, many Things have and daily do fall out, not yet provided for, nor remedied by the Laws before mentioned:

32 H. 8. c. 30.

18 Eliz. c. 14.

II. Be it therefore enacted by the Authority of this present Parliament, That if any Verdict of Twelve Men or more shall hereafter be given for the Plaintiff or Demandant, or for the Defendant or Tenant, Bailiff in Assize, Vouchee, Pray in Aid or Tenant by Receipt, in any Action, Suit, Bill, Plaint or Demand in any Court of Record, the Judgment thereupon shall not be stayed or reversed by reason of any Variance in Form only, between the original Writ or Bill, and the Declaration, Plaint or Demand; or for lack of any Averment of any Life or Lives of any Person or Persons, so as upon Examination the said Person be proved to be in Life; or by reason that the *Venire facias*, *Habeas corpora* or *Distringas* is awarded to a wrong Officer, upon any insufficient Suggestion; or by reason the *Visne* is in some Part misawarded or sued out of more Places, or of fewer Places, than it ought to be, so as some one Place be right named; or by reason that any of the Jury which tried the said Issue is misnamed, either in the Sur-

Jeofails prevented and reformed.

name

name or Addition, in any of the said Writs, or in any Return upon any of the said Writs, so as upon Examination it be proved to be the same Man that was meant to be returned; or by reason that there is no Return upon any of the said Writs, so as a Pannel of the Names of Jurors be returned and annexed to the said Writ; or for that the Sheriff's Name, or other Officer's Name having the Return thereof, is not set to the Return of any such Writ, so as upon Examination it be proved that the said Writ was returned by the Sheriff or Under Sheriff, or any such other Officer; or by reason that the Plaintiff, in an *Ejectione firme*, or in any personal Action or Suit, (being an Infant under the Age of One and twenty Years) did appear by Attorney therein, and the Verdict pass for him; any Law, Custom or Usage to the contrary notwithstanding.

Exceptions.

III. Provided always, and be it further enacted, That this Act, or any Thing therein contained, shall not extend to any Writ, Declaration or Suit of Appeal of Felony or Murder, nor to any Indictment or Presentment of Felony, Murder or Treason, nor to any Process upon any of them, nor to any Writ, Bill, Action or Information upon any popular or penal Statute; any Thing therein contained to the contrary notwithstanding.

[*This Act extended to Writs of Mandamus, 9 Ann. c. 20. § 7.*]

C A P. XIV.

An Act to admit the Subject to plead the General Issue in Informations of Intrusion brought on the Behalf of the King's Majesty, and retain his Possession till Trial.

• **W**HERE the King out of his Prerogative Royal may enforce the Subject in Informations of Intrusion brought against him, to a special Pleading of his Title: The King's most excellent Majesty, out of his gracious Disposition towards his loving Subjects, and at their humble Suit, being willing to remit a Part of his ancient and regal Power, is well pleased that it be enacted; and be it enacted by the King's most Excellent Majesty, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled; and by the Authority of the same; That whosoever the King, his Heirs or Successors, and such from or under whom the King claimeth, and all others claiming under the same Title under which the King claimeth, hath been or shall be out of Possession by the Space of Twenty Years, or hath not or shall not have taken the Profits of any Lands, Tenements or Hereditaments; within the Space of Twenty Years before any Information of Intrusion brought or to be brought, to recover the same; that in every such Case the Defendant or Defendants may plead the General Issue, if he or they so think fit, and shall not be pressed to plead specially; and that in such Cases the Defendant or Defendants shall retain the Possession be or they had at the Time of such Information exhibited; until the Title be tried, found or adjudged for the King.

In Informations
of Intrusion,
General Issue.

Possession retain-
ed till Trial.

II. And be it further enacted, That where an Information of Intrusion may fitly and aptly be brought on the King's Behalf; that no *Scire facias* shall be brought, whereunto the Subject shall be

Scire facias.

be forced to a special Pleading, and be deprived of the Grace intended by this Act.

C A P. XV.

An Act to enable Judges and Justices of the Peace to give Restitution of Possession in certain Cases.

BE it enacted by the Authority of this present Parliament, That such Judges, Justices or Justice of the Peace, as by reason of any Act or Acts of Parliament now in force are authorized and enabled upon Enquiry, to give Restitution of Possession unto Tenants of any Estate of Freehold, of their Lands or Tenements which shall be entered upon with Force, or from them withholden by Force, shall by reason of this present Act have the like and the same Authority and Ability from henceforth (upon Indictment of such forcible Entries, or forcible Withholdings before them duly found) to give like Restitution of Possession unto Tenants for Term of Years, Tenants by Copy of Court-Roll, Guardians by Knights-Service, Tenants by *Elegit*, Statute-Merchant and Staple, of Lands or Tenements by them so holden, which shall be entered upon by Force, or holden from them by Force.

C A P. XVI.

An Act for Limitation of Actions, and for-avoiding of Suits in Law.

FOR quieting of Men's Estates, and avoiding of Suits, Be it enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, That all Writs of *Formedon in Descender*, *Formedon in Remainder* and *Formedon in Reverter*, at any Time hereafter to be sued or brought, of or for any Manors, Lands, Tenements or Hereditaments, whereunto any Person or Persons now hath or have any Title or Cause to have or pursue any such Writ, shall be sued and taken within Twenty Years next after the End of this present Session of Parliament: And after the said Twenty Years expired, no such Person or Persons, or any of their Heirs, shall have or maintain any such Writ, of or for any of the said Manors, Lands, Tenements or Hereditaments; and that all Writs of *Formedon in Descender*, *Formedon in Remainder* and *Formedon in Reverter*, of any Manors, Lands, Tenements or other Hereditaments whatsoever, at any Time hereafter to be sued or brought, by Occasion or Means of any Title or Cause hereafter happening, shall be sued and taken within Twenty Years next after the Title and Cause of Action first descended or fallen, and at no Time after the said Twenty Years; and that no Person or Persons that now hath any Right or Title of Entry into any Manors, Lands, Tenements or Hereditaments now held from him or them, shall thereinto enter, but within Twenty Years next after the End of this present Session of Parliament, or within Twenty Years next after any other Title of Entry accrued; and that no Person or Persons shall at any Time hereafter make any Entry into any Lands, Tenements or Hereditaments, but within Twenty Years next after his or their Right or Title which shall hereafter first descend or ac-

Limitation of
Writs of *Forme-*
don.

Limitation of
Entry into Land,
&c.

crue to the same; and in Default thereof, such Persons so not entering, and their Heirs, shall be utterly excluded and disabled from such Entry after to be made; any former Law or Statute to the contrary notwithstanding. [For Entries to avoid Fines, 4th & 5th Ann. c. 16. § 16.]

Infants, Femmes
Covert, &c.
excepted.

II. Provided nevertheless, That if any Person or Persons, that is or shall be entitled to such Writ or Writs, or that hath or shall have such Right or Title of Entry, he or shall be at the Time of the said Right or Title first descended, accrued, come or fallen, within the Age of One and twenty Years, Feme Covert, *Non compos mentis*, imprisoned or beyond the Seas, that then such Person and Persons, and his and their Heir and Heirs, shall or may, notwithstanding the said Twenty Years be expired, bring his Action, or make his Entry, as he might have done before this Act; so as such Person and Persons, or his or their Heir and Heirs, shall, within Ten Years next after his and their full Age, Discoverture, coming of sound Mind, Enlargement out of Prison, or coming into this Realm, or Death, take Benefit of and sue forth the same, and at no Time after the said Ten Years.

Limitation of
Personal Actions.

III. And be it further enacted, That all Actions of Trespafs *Quare clausum fregit*, all Actions of Trespafs, Detinue, Action *sur Trower*, and Replevin for taking away of Goods and Cattle, all Actions of Account, and upon the Case, other than such Accounts as concern the Trade of Merchandize between Merchant and Merchant, their Factors or Servants, all Actions of Debt grounded upon any Lending or Contract without Specialty; all Actions of Debt for Arrearages of Rent, and all Actions of Assault, Menace, Battery, Wounding and Imprisonment, or any of them, which shall be sued or brought at any Time after the End of this present Session of Parliament, shall be commenced and sued within the Time and Limitation hereafter expressed, and not after (that is to say), the said Actions upon the Case (other than for Slander) and the said Actions for Account, and the said Actions for Trespafs, Debt, Detinue and Replevin for Goods or Cattle, and the said Action of Trespafs *Quare clausum fregit*, within Three Years next after the End of this present Session of Parliament, or within Six Years next after the Cause of such Actions or Suit, and not after; and the said Actions of Trespafs, of Assault, Battery, Wounding, Imprisonment or any of them, within One Year next after the End of this present Session of Parliament, or within Four Years next after the Cause of such Actions or Suit, and not after; and the said Actions upon the Case for Words, within one Year after the End of this present Session of Parliament, or within Two Years next after the Words spoken, and not after.

Limitation
after Judgment
or Outlawry
reversed.

IV. And nevertheless be it enacted, That if in any the said Actions or Suits, Judgment be given for the Plaintiff, and the same be reversed by Error, or a Verdict pass for the Plaintiff, and upon Matter alledged in Arrest of Judgment, the Judgment be given against the Plaintiff, that he take nothing by his Plaint, Writ or Bill; or if any the said Actions shall be brought by Original, and the Defendant therein be outlawed, and shall after reverse the Outlawry; that in all such Cases the Party Plaintiff, his Heirs, Executors or Administrators, as the Case shall require,

quire, may commence a new Action or Suit from time to time, within a Year after such Judgment reversed, or such Judgment given against the Plaintiff, or Outlawry reversed and not after.

V. And be it further enacted, That in all Actions of Trespass *Quare clausum fregit*, hereafter to be brought, wherein the Defendant or Defendants shall disclaim in his or their Plea, to make any Title or Claim to the Land in which the Trespass is by the Declaration supposed to be done, and the Trespass be by Negligence or involuntary, the Defendant or Defendants shall be admitted to plead a Disclaimer, and that the Trespass was by Negligence or involuntary, and a Tender or Offer of sufficient Amends for such Trespass before the Action brought, whereupon, or upon some of them, the Plaintiff or Plaintiffs shall be enforced to join Issue; and if the said Issue be found for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall be nonsuited, the Plaintiff or Plaintiffs shall be clearly barred from the said Action or Actions, and all other Suit concerning the same.

After Judgment or Nonsuit in *Quare clausum fregit* Plaintiff barred.

VI. And be it further enacted by the Authority aforesaid, That in all Actions upon the Case for slanderous Words, to be sued or prosecuted by any Person or Persons in any the Courts of Record at *Westminster*, or in any Courts whatsoever that hath Power to hold Plea of the same, after the End of this present Session of Parliament, if the Jury upon the Trial of the Issue in such Action, or the Jury that shall enquire of the Damages, do find or assess the Damages under Forty Shillings, then the Plaintiff or Plaintiffs in such Action shall have and recover only so much Costs as the Damages so given or assessed amount unto, without any further Increase of the same; any Law, Statute, Custom or Usage to the contrary in any wise notwithstanding.

Actions of Slander no greater Costs than Damages.

VII. Provided nevertheless, and be it further enacted, That if any Person or Persons that is or shall be entitled to any such Action of Trespass, Detinue, Action *sur Trower*, Replevin, Actions of Accounts, Actions of Debts, Actions of Trespass for Assault, Menace, Battery, Wounding or Imprisonment, Actions upon the Case for Words, be or shall be at the Time of any such Cause of Action given or accrued, fallen or come, within the Age of Twenty one Years, Feme Covert, *Non compos mentis*, imprisoned or beyond the Seas; that then such Person or Persons shall be at Liberty to bring the same Actions, so as they take the same within such Times as are before limited, after their coming to or being of full Age, Discoverd, of sane Memory, at Large, and returned from beyond the Seas, as other Persons having no such Impediment should have done.

Infants, Femes Covert, &c. excepted.

C A P. XVII.

An Act against Usury.

WHEREAS at this Time there is a very great Abatement in the Value of Land, and other the Merchandizes, Wares and Commodities of this Kingdom, both at Home and also in foreign Parts whither they are transported: And whereas divers Subjects of this Kingdom, as well the Gentry as Merchants, Farmers and Tradesmen, both for their urgent and necessary Occasions for the following their Trades, Maintenance of their Stocks and Employments, have borrowed, and do borrow divers

‘ Sums of Money, Wares, Merchandizes and other Commodities, but by reason of the said general Fall and Abatement of the Value of Land, and the Prices of the said Merchandize, Wares and Commodities, and Interest in Loan continuing at so high a Rate as Ten Pounds in the Hundred Pounds for a Year, doth not only make Men unable to pay their Debts, and continue the Maintenance of Trade, but their Debts daily increasing, they are enforced to sell their Lands and Stocks at very low Rates, to forsake the Use of Merchandize and Trade, and to give over their Leases and Farms, and so become unprofitable Members of the Commonwealth, to the great Hurt and Hindrance of the same:’

Interest at 8l.
per Cent. per
Ann.

II. Be it therefore enacted by the King's most Excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That no Person or Persons whatsoever, from and after the Four and twentieth Day of *June*, which shall be in the Year of our Lord One thousand six hundred twenty and five, upon any Contract to be made after the said Four and twentieth Day of *June*, shall take, directly or indirectly, for Loan of any Monies, Wares, Merchandize or other Commodities whatsoever, above the Value of Eight Pounds for the Forbearance of One Hundred Pounds for a Year, and so after that Rate for a greater or lesser Sum, or for a longer or shorter Time; and that all Bonds, Contracts and Assurances whatsoever made after the Time aforesaid, for Payment of any Principal or Money to be lent or covenanted to be performed, upon or for any Usury, whereupon or whereby there shall be reserved or taken above the Rate of Eight Pounds in the Hundred as aforesaid, shall be utterly void; and that all and every Person and Persons whatsoever, which shall after the Time aforesaid, upon any Contract to be made after the said Four and twentieth Day of *June*, which shall be in the Year of our Lord One thousand six hundred twenty and five †, take, accept and receive, by Way or Means of any corrupt Bargain, Loan, Exchange, Chevisance, Shift or Interest of any Wares, Merchandize or other Thing or Things whatsoever, or by any deceitful Way or Means, or by any Covin, Engine or deceitful Conveyance, for the forbearing or giving Day of Payment for One whole Year, of and for their Money or other Thing above the Sum of Eight Pounds for the forbearing of One Hundred Pounds for a Year, and so after that Rate for a lesser or greater Sum, or for a longer or shorter Time, shall forfeit and lose for every such Offence the Treble Value of the Monies, Wares, Merchandizes and other Things so lent, bargained, sold, exchanged or shifted.

† Sic.

Benaky.

A Scrivener
taking more than
allowed.

† Sic.

III. And be it further enacted by the Authority aforesaid, That all and every Scrivener and Scriveners, Broker and Brokers, Solicitor and Solicitors, Driver and Drivers of Bargains for Contracts, who shall, after the said Twenty fourth Day of *June*, which shall be in the Year of our Lord One thousand six hundred twenty and five †, take or receive, directly or indirectly, any Sum or Sums of Money, or other Reward or Thing for Brocage, soliciting, driving or procuring the Loan or forbearing of any Sum or Sums of Money over or above the Rate or Value of Five Shillings for the Loan or forbearing of One Hundred Pounds for a Year, and so rateably or above Twelve pence for making or renewing

renewing of the Bond or Bill for the Loan, or forbearing thereof, or for any counter Bond or Bill concerning the same, shall forfeit for every such Offence Twenty Pounds, and have Imprisonment for Half a Year; the One Moiety of all which Forfeitures to be to the King our Sovereign Lord, his Heirs and Successors; and the other Moiety to him or them that will sue for the same in the same County where the several Offences are committed, and not elsewhere, by Action of Debt, Bill, Plaint or Information, in which no Effoin, Wager of Law or Protection to be allowed.

Penalty.

Imprisonment.

IV. This Act to continue for the Space of Seven Years from the said Four and twentieth Day of *June*, which shall be in the Year of our Lord One thousand six hundred twenty five†, and so to the End of the First Session of Parliament then next following.

Continuance.

† *Sic.*

V. Provided, That no Words in this Law contained shall be construed or expounded to allow the Practice of Usury in point of Religion or Conscience.

Usury disallowed.

[*Made perpetual, 3 Car. 1. c. 4. § 5. See 12 Car. 2. c. 13. 12 Ann. Stat. 2. c. 16.*]

C A P. XVIII.

An Act for Continuance of a former Act made in the Fourth Year of the King's Majesty's Reign of *England*, &c. intituled, *An Act for the true making of Woollen Cloths, and for some Additions and Alterations in and to the same.*

WHEREAS in the Fourth Year of the Reign of our Sovereign Lord the King's Majesty that now is, there was, amongst other, an Act made and intituled, *An Act for the true making of Woollen Cloths (a)*, which in and by the said Act is to continue in Force and Effect but unto the End of the First Session of the then next Parliament; forasmuch as the said Act is found by Experience to be very necessary, expedient and beneficial for the Commonwealth, both in the providing for the several and respective Lengths, Breadths and Weight of the several Sorts of Woollen Cloths mentioned in the said Statute, as also in the avoiding the Mixture of Flocks, Thrums and other deceivable Things in the making of Woollen Cloths, saving in those Points whereunto the Additions and Alterations in this present Act do extend: Be it therefore enacted by the Authority of this present Parliament, That the same Act above remembered, and all and every the Branches, Clauses and Provisions in the same contained, and which are not in this present Act altered, repealed, discontinued or enlarged, shall continue and be from henceforth in full Force and Effect, until the End of the First Session of the next Parliament. (a) [*Repealed, 49 G. 3. c. 109. § 1.*]

4 Jac. 1. c. 2.

II. And whereas in and by the aforesaid Act it was amongst other Things enacted and provided, That it should or might be lawful to and for any Person and Persons lawfully exercising the Trade or Art of a Clothier or making of Cloths, to make Flocks, Thrums and Lambs Wool into Cloth of one only Kind

4 Jac. I. c. 2.
§ 14. repealed.

‘ or Making, which should contain in Length, being thoroughly wet, between Twelve and Thirteen such Yards and Inches as in the said Statute had been mentioned, and in Breadth One Yard at the least within the Lists, and being clean scowred, thicked, milled and fully dried, should weigh Fifteen Pounds the Piece at the least;’ Be it enacted by the Authority of this present Parliament, That the said Clause or Provision for the making of Flocks, Thrums and Lambs Wool into Cloth, shall be from henceforth discontinued, or repealed and void.

‘ III. And further, whereas since the making of the said Act, many ill disposed Persons for their own private Gain and Lucre, and in Deceit of the Buyers of Cloth, and to the Discredit and discrediting of good Cloth, have used to mix and put Flocks and Thrums, and also Noiles and Hairs, and other deceivable Things, into, within and upon the Broad Woollen Cloths mentioned in the said Act; which said Broad Woollen Cloths be of far greater Length, Breadth and Estimation than be those Cloths whereinto the said Flocks, Thrums and Lambs Wool in and by the said Act have been permitted to be put into; and by the Means of mixing and putting in or upon such Broad Cloths of the said Flocks, Noiles, Thrums, Hair and other deceivable Things, into and within or upon the said Broad Woollen Cloths, the said Broad Woollen Cloths be much abused and discredited, and the Buyers of such Broad Woollen Cloths cozened, deceived and abused:’

For Reformation of which forefaid Wrongs, Abuses and Misdemeanors, Be it enacted, &c.

[Repealed, 49 G. 3. c. 109. § 1.]

C A P. XIX.

An Act for the further Description of a Bankrupt; and Relief of Creditors against such as shall become Bankrupts; and for inflicting of corporal Punishment upon the Bankrupts in some special Cases.

‘ **F**ORASMUCH as daily Experience sheweth, that the Number and Multitude of Bankrupts do increase more and more, and also the Frauds and Deceits invented and practised for the avoiding and deluding the Penalties of the good Laws in that Behalf already made, and the Remedy by them provided; and for that divers Defects are daily found in the former Statutes made against Bankrupts, both in the Description of a Bankrupt as also in the Power given to the Commissioners for the Discovery and distributing the Bankrupt's Estate, to the great Encouragement of evil minded Persons, the hindrance of Traffick and Commerce, the great Decay, Overthrow and Undoing of many Clothiers, by whom many Thousands of the natural born Subjects of this Realm be from time to time in all Parts of this Kingdom set on work; all which do tend to the general Hurt of this Realm:’ For Remedy whereof, be it enacted by the King's most Excellent Majesty, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and singular the aforefaid Statutes and Laws heretofore made against Bankrupts, and for Relief of Creditors, shall be in all Things largely

34 & 35 H. 8.
c. 4.
13 Eliz. c. 7.
1 Jac. I. c. 15.

Bankrupt Laws
how construed.

largely and beneficially construed and expounded for the Aid, Help and Relief of the Creditors of such Person or Persons as already be or hereafter shall become Bankrupt :

II. And *[that all and every Person or Persons, using or that shall use the Trade or Merchandize by way of Bargaining, Exchange, Bartering, Chevisance or otherwise, in Grofs or by Retail; or seeking his or her Living by Buying and Selling; or that shall use the Trade or Profession of a Scrivener, receiving other Men's Monies or Estates into his Trust or Custody, who at any Time after the End of this present Session of Parliament]* shall either by himself or others by his Procurement, obtain any Protection or Protections, other than such Person or Persons as shall be lawfully protected by the Privilege of Parliament, or shall prefer or exhibit unto his Majesty, his Heirs or Successors, or unto any of the King's Courts, any Petition or Petitions, Bill or Bills against his or her Creditor or Creditors, or any of them, thereby desiring or endeavouring to compel or enforce them or any of them to accept less than their just and principal Debts, or to procure Time or longer Days of Payment than was given at the Time of their original Contracts; or *[being indebted to any Person or Persons in the Sum of One Hundred Pounds or more, shall not pay or otherwise compound for the same within Six Months next after the same shall grow due, and the Debtor be arrested for the same, or within Six Months after an original Writ sued out to recover the said Debt, and Notice thereof given unto him or left in Writing at his or their Dwelling House or last Place of Abode;]* or being arrested for Debt, shall after his or her Arrest lie in Prison Two Months or more, upon that or any other Arrest or Detention in Prison for Debt; *[or being arrested for the Sum of One Hundred Pounds or more of just Debt or Debts, shall at any Time after such Arrest]* escape out of Prison or *[procure his Enlargement by putting in common or hired Bail, shall be accounted and adjudged a Bankrupt to all Intents and Purposes; and in the said Cases of Arrest]* or lying in Prison for such Debt or Debts, *[or getting forth by common or hired Bail from the Time of his or her said first Arrest.]* *[The Words of this Section in Brackets and Italicks repealed, 10 Ann. c. 15. § 1.]*

Who shall be deemed a Bankrupt.

III. And be it further enacted by the Authority of this present Parliament, That the like Commissions, Orders, Benefits and Remedies which are and be provided and limited by the said former Acts of Parliament, made in the Thirteenth Year of the late Queen Elizabeth, and in the First Year of the Reign of our Sovereign Lord the King's Majesty, against any Bankrupts in them or either of them described, or for or concerning his, her or their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandize and Debts or any of them, shall and may be had, pursued, taken and expounded, against such Person and Persons as are herein and hereby declared, described or expressed to be Bankrupts, and against his, her and their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandize and Debts, in such Manner and Form as the same ought and might have been, if the Persons herein declared, described or expressed to be Bankrupts, had been by the said Statutes, or either of them, described to be Bankrupts, to all Intents and Purposes whatsoever.

Commissions, &c. by 13 Eliz. c. 7.
1 Jac. I. c. 15. in force.

Orders, &c. of
Act good against]
Bankrupt by
13 Eliz. c. 7. &
2 Jac. I. c. 15.

IV. And be it further enacted by the Authority aforesaid, That the same Orders, Benefits and Remedies, which are and be provided and limited by this present Act against any Bankrupts in or by this Act declared, described or expressed to be Bankrupts, or for or concerning his, her or their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandizes and Debts, or any of them, or the Discovery of them or any of them, shall from henceforth be had, pursued, taken and expounded against such Person and Persons as are declared or expressed to be Bankrupts by the said former Acts of Parliament or either of them, and against his, her and their Lands, Tenements, Hereditaments, Fees, Annuities, Offices, Goods, Chattels, Wares, Merchandizes and Debts, in such Manner and Form as the same ought and might have been, if the Persons in the former Statutes or either of them described to be Bankrupts, had been mentioned and described to be Bankrupts in and by this present Act.

V. And whereas by the former Laws, the Commissioners appointed have Power to examine the Bankrupt himself, and such Person or Persons as are suspected to have or detain any of the Estate, Goods or Chattels of the Bankrupts; but some Doubt hath been made, whether the Commissioners have Power to examine the Wives of the Bankrupts touching the same; by reason whereof the Bankrupts' Wives do daily conceal and convey away, and cause to be conveyed away, much Part of their Husbands' Monies, Wares, Goods, Merchandize and other Estate, to Person or Persons unknown to any but such Wives, by reason whereof much of the Bankrupt's Estate is concealed and detained from the Creditors:

Bankrupt's
Wife may be
examined.

VI. For clearing therefore the said Doubt, and avoiding the Inconveniencies aforesaid, Be it declared and enacted by the Authority aforesaid, That after such Time as any Person shall by the said Commissioners executing the said Commission, or the greater Part of them, be lawfully adjudged or declared to be a Bankrupt, the said Commissioners executing such Commission shall have Power and Authority to examine upon Oath the Wife and Wives of all and every such Bankrupt, for the finding out and Discovery of the Estate and Estates, Goods and Chattels of such Bankrupt or Bankrupts, concealed, kept or disposed of by such Wife or Wives, in their own Persons, or by their own Act or Means, or by any other Person or Persons; and that she and they, the said Wife and Wives, shall incur such Danger and Penalty for not coming before the said Commissioners, or for refusing to be sworn and examined, or for not disclosing the Truth upon her or their Examination or Examinations, as in and by the said former Laws or either of them is already made and provided against any other Person or Persons in like Cases.

Bankrupt frau-
dulently con-
cealing Goods,
&c.

VII. And be it further enacted by the Authority aforesaid, That if any Bankrupt shall, upon his or her Examination or Examinations, to be taken before the said Commissioners executing the said Commission, be found fraudulently or deceitfully to have conveyed away his or her Goods, Chattels, Lands, Tenements, Offices, Fees, Rents or Annuities, or other Estate or any Part thereof, to the Value of Twenty Pounds or above, to the

End

End and Purposes to hinder the Execution of this Statute or of any other the aforesaid Statutes, or thereby to defraud, delay or hinder his or her Creditors of the same, and shall not upon his or her Examination discover unto the said Commissioners, and (if it lie in his or her Power) deliver unto the said Commissioners all that Estate, Goods and Chattels so fraudulently and deceitfully conveyed away as aforesaid, or by him or her, his or her Means, kept and detained from the said Commissioners, or that cannot make it appear unto the said Commissioners, that he or she hath sustained some casual Loss, whereby he or she is disabled to pay what he or she then owed, shall or may be indicted for such Fraud or Abuse at the Assizes or General Sessions to be holden before the Judges of Assize, or Justices of the Peace of the County or Place where he or she shall become Bankrupt; and if upon such Indictment or Indictments the Bankrupt be thereof convicted, he or she so convicted shall be set upon the Pillory in some publick Place for the Space of Two Hours, and have one of his or her Ears nailed to the Pillory and cut off. [See as to Embezzlement, &c. of Effects or Books, 5 G. 2. c. 30. § 4.]

Pillory and k^{ts}
of One Ear.

VIII. And for that some Doubt is conceived, whether the Commissioners in case of Resistance have Power by the former Laws to break open, or cause to be broken open, the House or Houses of such Bankrupts, which if they have not, the Remedy by the former Laws given will be to little Effect: Be it therefore enacted, That in Execution of the said Commission, it shall be lawful to and for the said Commissioners or the greater Part of them, or any other Person or Persons, Officer or Officers, by them or the greater Part of them, to be deputed and appointed by their Warrant or Warrants under their Hands and Seals, to break open the House or Houses, Chambers, Shops, Warehouses, Doors, Trunks or Chests of the said Bankrupt, where the said Bankrupt or any of his or her Goods or Estate shall be or reputed to be, and to seize upon and order the Body, Goods, Chattels, Ready Money and other Estate of such Bankrupt, as by the said former Laws are limited and appointed, whether it be by Imprisonment of his or her Body or otherwise, as to the said Commissioners or the greater Part of them shall be thought meet.

Commissioners
may break open
Bankrupt's
Doors, &c.

IX. And for the better Division and Distribution of the Lands, Tenements, Hereditaments, Goods, Chattels and other Estate of such Bankrupt to and amongst his or her Creditors; Be it enacted, That the Commissioners, or the greatest Part of them, shall and may examine upon Oath or by any other Ways or Means as to them shall seem meet, any Person or Persons for the finding out and Discovery of the Truth and Certainty of the several Debts due and owing to all such Creditor and Creditors as shall seek Relief by such Course of Commission to be sued forth as aforesaid; and that all and every Creditor and Creditors having Security for his or their several Debts, by Judgment, Statute, Recognizance, Specialty with Penalty or without Penalty, or other Security, or having no Security, or having made Attachments in London or any other Place, by virtue of any Custom there used, of the Goods and Chattels of any such Bankrupt, whereof there is no Execution or Extent served and executed upon any the Lands, Tenements, Hereditaments, Goods, Chattels and other Estate of such Bankrupts, before such Time as he or she shall or do become

Bankrupt's
Goods rarely
divided, notwithstanding
Judgment, &c.

Bankrupt, shall not be relieved upon any such Judgment, Statute, Recognizance, Specialty, Attachments or other Security for any more than a ratable Part of their just and due Debts, with the other Creditors of the said Bankrupt, without respect to any such Penalty or greater Sum contained in any such Judgment, Statute, Recognizance, Specialty with Penalty, Attachment or other Security.

Commissioners
may proceed
when Bankrupt
by Fraud makes
himself Ac-
countant to the
King.

X. And be it further enacted, That if it shall happen any the Lands, Tenements, Goods, Chattels, Debts or other Estate of any Bankrupt, to be extended after such Time as he or she is become a Bankrupt, by any Person or Persons, under Colour or Pretence of his or their being an Accountant, or any way indebted unto our Sovereign Lord the King's Majesty, his Heirs or Successors, that then it shall be lawful to and for the said Commissioners to examine upon Oath whether the said Debt were due to such Debtor or Accountant, upon any Bargain or Contract originally made betwixt such Accountant and the said Bankrupt, the said Debtor or Accountant and his or their Servants; and if such Bargain or Contract was originally made to and with any other Person or Persons than the said Debtor or Accountant, or for the Use and Trust of any other Person or Persons, then it shall and may be lawful to and for the said Commissioners or the greater Part of them, to order and dispose of all such Lands, Tenements, Hereditaments, Goods, Chattels and Debts so extended as aforesaid, to and for the Use of the Creditors which shall seek Relief by the said Commission; and that the Order and Disposition of the said Commissioners or the greater Part of them shall be good and available against the said Extent, and against all Persons claiming from, by or under the said Extent; and that such Person and Persons to whom the said Lands, Tenements, Goods and Chattels so extended, shall be bargained, sold, granted or assigned by the Commissioners aforesaid or the greater Part of them, shall have good Remedy to have, demand and recover the same against such Person and Persons who shall detain the same.

Goods in Possession, &c. of Bankrupt liable notwithstanding former Grant, &c.

' XI. And for that it often falls out that many Persons before they become Bankrupts, do convey their Goods to other Men upon good Consideration, yet still do keep the same, and are reputed the Owners thereof, and dispose the same as their own: Be it enacted, That if at any Time hereafter any Person or Persons shall become Bankrupt, and at such Time as they shall so become Bankrupt shall by the Consent and Permission of the true Owner and Proprietary have in their Possession, Order and Disposition, any Goods or Chattels whereof they shall be reputed Owners, and take upon them the Sale, Alteration or Disposition as Owners, that in every such Case the said Commissioners or the greater Part of them shall have Power to sell and dispose the same to and for the Benefit of the Creditors which shall seek Relief by the said Commission, as fully as any other Part of the Estate of the Bankrupt.

Grant of intailed Lands of Bankrupt, good.

XII. And for the better Payment of Debts and discouraging Men to become Bankrupts; Be it further enacted, That the said Commissioners or the greater Number of them, shall have Power by virtue of this Act, by Deed indented and inrolled within Six Months after the making thereof, in some of his Majesty's Courts of Record at Westminster, to grant, bargain, sell and convey any

Manors,

Manors, Lands, Tenements or Hereditaments, whereof any Bankrupt is or shall be in any ways seised of any Estate in Tail, in Possession, Reversion or Remainder, and whereof no Reversion or Remainder is or shall be in the King's Majesty, his Heirs and Successors, of the Gift or Provision of his Majesty, his Progenitors, his Heirs or Successors, to any Person or Persons, for the Relief and Benefit of the Creditors of all such Bankrupts; and that all and every such Grants, Bargains, Sales and Conveyances shall be good and available in the Law to such Person or Persons and their Heirs, against the said Bankrupts, and against all and every the Issues of the Body of such Bankrupts, and against all and every Person and Persons claiming any Estate, Right, Title or Interest, by, from or under the said Bankrupts, after such Time as such Person shall become Bankrupt, and against all and every other Person and Persons whatsoever, whom the said Bankrupt by common Recovery, or other Ways or Means might cut off or debar from any Remainder, Reversion, Rent, Profit, Title or Possibility, in, to or out of any of the said Manors, Lands, Tenements or Hereditaments.

XIII. And be it further enacted, That if any Person that now is or hereafter shall become a Bankrupt, have heretofore granted, conveyed or assured, or shall at any Time hereafter grant, convey or assure any Lands, Tenements, Hereditaments, Goods, Chattels, or other Estate unto any Person or Persons, upon Condition or Power of Redemption at a Day to come, by Payment of Money or otherwise; that it shall and may be lawful to and for the said Commissioners or the greater Part of them, before the Time of the Performance of such Condition, to assign and appoint under their Hands and Seals such Person or Persons as they shall think fit, to make Tender or Payment of Money, or other Performance, according to the Nature of such Condition, as fully as the Bankrupt might have done; and that the said Commissioners, or the greater Part of them, shall, after such Tender, Payment or Performance, have Power to sell and dispose of such Lands, Tenements, Hereditaments, Goods and Chattels, and other Estates to granted, conveyed or assured upon Condition, to and for the Benefit of the Creditors, as fully as they may sell or dispose of any the Estate of the Bankrupt.

Conditional Estates granted by Bankrupt may be redeemed by Commissioners.

XIV. Provided further, That no Purchaser for good and valuable Consideration shall be impeached by virtue of this Act, or any other Act heretofore made against Bankrupts, unless the Commission to prove him or her a Bankrupt be sued forth against such Bankrupt within Five Years after he or she shall become a Bankrupt.

Limitation of Commission.

XV. Provided further, and be it enacted by the Authority aforesaid, That this Act, and all other Acts of Parliament heretofore made against Bankrupts, shall extend to Strangers born, as well Aliens as Denizens, as effectually as to the Natural born Subjects, both to make them subject to the Laws as Bankrupts as also to make them capable of the Benefit or Contribution as Creditors by those Laws.

Proviso for Strangers.

C A P. XX.

An Act against Swearing and Cursing.

[Repealed, 19 G. 2. c. 21. § 15.]

C A P.

C A P. XXI.

An Act concerning Hostlers or Innholders.

BE it enacted by the Authority of this present Parliament, That one Statute made in the seven and thirtieth Year of the Reign of the late King *Edward* the Third, made for the great Dearth that then was in many Places of the Realm, of Poultry, and concerning the Prices of Poultry; and so much of one Statute made in the Thirteenth Year of the Reign of King *Richard* the Second, as provideth, that no Hostler make Horse-bread in his Hostrey, nor without, and that the Assize thereof shall be kept, and that the Weight be reasonable after the Prices of the Corn in their Markets, and that the same Hostlers shall sell Hay and Oats, after a reasonable Price, so that they take but One Halfpenny over the common Price in the Market; and so much of one Statute made in the Fourth Year of the Reign of the late King *Henry* the Fourth, as doth concern the putting in Execution of the Part of the Statute made in the Thirteenth Year of the Reign of King *Richard* the Second, that is before specified; and one Statute made in the Two and thirtieth Year of the Reign of King *Henry* the Eighth, intituled, *An Act concerning the baking of Horse Bread*, be from henceforth repealed, made void and of none Effect.

II. And be it further enacted, That no Hostler or Innholder shall at any Time after the End of this present Session of Parliament make Horse Bread in his Hostrey, nor without, but Bakers shall make it, and the Assize shall be kept, and that the Weight be reasonable after the Price of the Corn and Grain in the Markets adjoining; and the Hostlers or Innholders shall sell their Horse Bread, and their Hay, Oats, Beans, Peas, Provender and also all Kind of Victual both for Man and Beak, for reasonable Gain, having respect to the Prices for which they shall be sold in the Markets adjoining, without taking any Thing for Litter.

III. Provided always, and be it enacted by the Authority aforesaid, That from henceforth it may and shall be lawful for every Hostler and Innkeeper dwelling in any Town or Village, being a Thoroughfare or a common Passage within this Realm, and being no City, Town Corporate or Market Town, wherein any common Baker exercising the Occupation of Baking, and that hath been Apprentice at the said Occupation by the Space of Seven Years, is dwelling, to make within his House Horse Bread sufficient, lawful and of due Assize, according as the Price of Grain and Corn now is and hereafter shall be from time to time; any Thing herein contained to the contrary notwithstanding.

IV. And be it further enacted by the Authority aforesaid, That if the Horse Bread which any of the said Hostlers or Innholders shall make, be not sufficient, lawful and of due Assize, according to the Price of Grain and Corn as is aforesaid; or that if any of them shall offend in any Thing contrary to this Act, then the Justices of Assize, Justices of Oyer and Terminer, Justices of the Peace in every Shire, Liberty or Franchise within this Realm, Sheriffs in their Turns, and Stewards in their Leets and Law-days, shall have full Power and Authority to enquire, hear and determine the said Defaults and Offences of the said Hostlers and Innholders hereafter to be committed against the Form of this present

37 E. 3. c. 3.
23 R. 2. Stat. 1.
c. 2.

4 H. 4. c. 25.

32 H. 8. c. 41.
repealed.

Hostlers, &c. not
to make Horse-
bread.

In what Case
they may make
Horse-bread.

† Sic.

Not making of
due Assize -
Punishment.

present Statute; and the Hostler or Innholder for the first Offence shall be fined according to the Quantity of the Offence; and if being once convicted he shall again offend, for the Second Offence he shall be imprisoned for the Space of One Month without Bail or Mainprize; and if he shall a Third Time offend, being thereof convicted, he shall stand upon the Pillory, without being redeemed for Money; and if he shall offend after the Judgment of the Pillory given, he shall be fore-judged for keeping any Inn again, Third Offence, &c.

C A P. XXII.

An Act for the Explanation of the Statutes made in the Third, Fourth and Fifth Years of King *Edward* the Sixth, concerning the Traders of Butter and Cheefe.

[3 & 4 E. 6. c. 21. and 5 & 6 E. 6. c. 14.; repealed, 12 G. 3. c. 71. § 1.]

C A P. XXIII.

An Act for avoiding of vexatious Delays caused by removing Actions and Suits out of inferior Courts.

‘ WHEREAS there now are, and long Time have been, divers Courts of Record in divers Cities, Liberties, Towns Corporate and elsewhere, some of them being far remote from *Westminster*, others from the Court of Grand Sessions in *Wales*, which were principally ordained for the Ease and Quiet of such as should have occasion to sue there for Debts, Duties and Wrongs, so that they might with small Expences receive Justice according to the Merits of their Causes in those inferior Courts, without being compelled to travel to *Westminster* or the Court of the Great Sessions in *Wales*; but of late, divers of his Majesty’s loving Subjects, having for just and true Debts and other good and lawful Causes, commenced Suits in such inferior Courts, and prosecuted their Actions and Suits many Times ready for Trial, and the same Causes being for the most Part but of small Value, have been removed into some of his Majesty’s Courts at *Westminster* or the Court of the Great Sessions in *Wales*, and being remanded by *Procedendo* into the same inferior Courts where the Action or Suit was first commenced, the same have been again oftentimes removed into the same or other of his Majesty’s Courts at *Westminster* or Court of the Great Sessions in *Wales*, to the intolerable Delay of Justice, and great Expences of Money, and Loss and Trouble to those which justly and honestly by such Actions and Suits have sought only to recover or get Satisfaction for Debts, Duties or Wrongs owing, due or done unto them.’

II. For Remedy whereof, be it enacted by the King’s most Excellent Majesty, the Lords Spiritual and Temporal, and by the Commons, in this present Parliament assembled, and by the Authority of the same, That no Writ or Writs of *Habeas Corpus*, *Certiorari*, or any other Writ or Writs, Process or Processes whatsoever, other than Writs of Error or Attaint, to be sued forth after the End of this present Session of Parliament, by any Person or Persons whatsoever, out of or from any of his Majesty’s Courts at *Westminster* or the Court of the Great Sessions in *Wales*, or out

Writ to remove Suit commenced in inferior Courts, in what Case only, to be obeyed.

of any other Court or Courts having or pretending to have Power to award such Writs or Processes, to stay or remove any Action, Bill, Complaint, Suit or Cause brought, commenced or depending, or hereafter to be brought, commenced or depending in any Court or Courts of Record within any City, Liberty, Town Corporate or elsewhere, which have or shall have Jurisdiction, Power or Authority to hold Plea in that Action, Bill, Complaint, Suit or Cause, the same Cause of Action, Bill, Complaint or Suit arising or growing within the said City, Liberty, Town Corporate or Jurisdiction, shall, after the End of this present Session of Parliament, be received or allowed by the Steward or Stewards, Judge or Judges, or Officer or Officers of the Court or Courts wherein or to whom any such Writ or Writs shall be directed and delivered; but that he and they shall and may proceed in the said Cause or Causes as though no such Writ or Writs were sued forth or delivered to him or them, except that the said Writ or Writs be delivered to the Steward or Stewards, Judge or Judges, Officer or Officers of the said Court, before Issue or Demurrer joined in the said Cause or Causes so depending or to be depending in any such Court of Record in any City, Liberty, Town Corporate or elsewhere, having Power to hold such Plea, so as the said Issue or Demurrer be not joined within Six Weeks next after the Arrest or Appearance of the Defendant or Defendants to such Action or Suit commenced.

Issue or Demur-
rer found.

Suit once re-
manded shall
never afterwards
be removed.

III. And be it further enacted by the Authority aforesaid, That if any such Action, Bill, Complaint, Suit or Cause, which is or shall hereafter be brought, commenced or depending in any such Court of Record in any City, Liberty, Town Corporate or elsewhere, shall, after the End of this present Session of Parliament, be removed or staid by any such Writ or Writs, Processes or Processes to be sued forth or out of any of his Majesty's Courts at *Westminster* or the Court of the Great Sessions in *Wales* or any other Court as aforesaid, that if afterwards the same Action, Bill, Complaint, Suit or Cause shall be remanded or sent back again by any Writ or Writs of *Procedendo* or other Writ whatsoever; that then the said Action, Bill, Complaint, Suit or Cause, shall never afterwards be removed or staid before Judgment, by any Writ or Writs whatsoever to be sued forth or out of any of his Majesty's said Courts at *Westminster* or the said Court of Great Sessions in *Wales*, or any other Court as aforesaid; any Law, Statute, Custom, Usage or Restraint to the contrary thereof in any wise notwithstanding.

Suit not exceed-
ing Five Pounds,
not to be re-
moved.

IV. And be it further enacted by the Authority aforesaid, That if in any Action, Bill, Complaint, Suit or Cause, not concerning Freehold or Inheritance, or Title of Land, Lease or Rent, which shall be brought, commenced or depending in any such Court of Record in any City, Liberty, Town Corporate or elsewhere, if it shall appear, or be laid in the Declaration, that the Debt, Damages or Things demanded, doth or shall not amount to or exceed the Sum of Five Pounds; that then such Action, Bill, Complaint, Suit or Cause, shall not be stayed nor removed into any of His Majesty's Courts at *Westminster* or other Courts as aforesaid, by any Writ or Writs whatsoever, to be sued or prosecuted forth or out of His Majesty's said Courts at *Westminster* or other Courts as aforesaid, other than Writs of Error or Attaint; any Law, Statute, Usage, Custom

Custom or Restraint to the contrary in any wise notwithstanding. [Enlarged, 12 G. 1. c. 29. § 3.]

V. And be it further enacted by the Authority aforesaid, That if any Writ or Writs whatsoever shall be, after the End of this present Session of Parliament, granted or sued forth or out of any of his Majesty's said Courts at *Westminster* or Court of [the Great Sessions in *Wales* or other Court contrary to the Intent and Meaning of this present Act, that then it shall and may be lawful to and for the Judge or Judges, and Officer or Officers, to whom such Writ or Writs shall be directed or delivered, to disallow and refuse the same, and to proceed as if no such Writ or Writs had been granted or sued out or forth as aforesaid; any Law, Statute, Usage, Custom or Restraint to the contrary in any wise notwithstanding.

VI. Provided always, That this Act shall extend only to such Courts of Record in Cities, Liberties, Towns Corporate and elsewhere, and for so long Time only, as there is or shall be an Utter Barrister of Three Years standing at the Bar of One of the Four Inns of Court, that is or shall be Steward, Under-Steward or Deputy-Steward, Town-Clerk, or Judge or Recorder of the same inferior Court, or that is or shall be from time to time Assistant to such Judge or Judges of such inferior Courts as shall not be Utter-Barristers of such standing as is aforesaid, and there present, in which such Actions, Bills, Plaints, Suits or Causes is or shall be brought, commenced or depending, and not of Counsel in any Action, Suit or Cause then depending in the same inferior Court; any Thing in this present Act, or any Law, or other Statute, Usage, Custom or Restraint to the contrary in any wise notwithstanding.

Proviso for Liberties, &c. when Steward an Utter Barrister, &c.

VII. Provided that this Act, or any Thing therein contained, shall not extend to any Action, Bill, Complaint, Suit or Cause, wherein any such Foreign or other Plea shall be pleaded as could not be tried or determined within the Jurisdiction of such inferior Courts.

Foreign Plea

C A P. XXIV.

An Act for the Relief of Creditors against such Persons as die in Execution.

FORASMUCH as heretofore it hath been much doubted and questioned, if any Person being in Prison and charged in Execution by reason of any Judgment given against him, should afterwards happen to die in Execution, whether the Party at whose Suit or to whom such Person stood charged in Execution at the time of his Death, be for ever after concluded and barred to have Execution of the Lands and Goods of such Person so dying:

II. And forasmuch as daily Experience doth manifest, that divers Persons of Sufficiency in Real and Personal Estate, minding to deceive others of their just Debts for which they stood charged in Execution, have obstinately and wilfully chosen rather to live and die in Prison than to make any Satisfaction according to their Abilities: To prevent which Deceit, and for the avoiding of such Doubts and Questions hereafter; Be it declared, explained and enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons, in this

New Execution
against Lands of
Debtor dying in
Execution.

this present Parliament assembled, and by the Authority of the same, That from and after the End of this present Session of Parliament, the Party or Parties, at whose Suit or to whom any Person shall stand charged in Execution for any Debt or Damages recovered, his or their Executors or Administrators, may, after the Death of the said Person so charged and dying in Execution, lawfully sue forth and have new Execution against the Lands and Tenements, Goods and Chattels or any of them, of the Person so deceased, in such Manner and Form, to all Intents and Purposes, as he or they or any of them might have had by the Laws and Statutes of this Realm, if such Person so deceased had never been taken or charged in Execution.

Proviso for
Lands sold bona
fide.

III. Provided always, and be it declared and enacted, That this Act shall not extend to give Liberty to any Person or Persons, their Executors or Administrators, at whose Suit or Suits any such Party shall be in Execution, and die in Execution, to have or take any new Execution against any the Lands, Tenements or Hereditaments of such Party so dying in Execution, which shall at any time after the said Judgment or Judgments be by him sold *bona fide*, for the Payment of any of his Creditors, and the Money which shall be paid for the Lands so sold, either paid or secured to be paid to any of his Creditors, with their Privy and Consent, in Discharge of his or their due Debts, or of some Part thereof; any Thing before in this Act to the contrary thereof in any wise notwithstanding.

C A P. XXV.

An Act for the Relief of Patentees, Tenants and Farmers of Crown Lands and Duchy Lands, or of Lands within the Survey of the Court of Wards and Liveries, in Cases of Forfeiture for not Payment of their Rents, or other Service or Duty.

FORASMUCH as the King's Majesty, out of his gracious Disposition, is and ever hath been averfe from taking any Advantage, howsoever lawful and just, against any of his Subjects, growing by any Forfeiture, Breach of Condition, or strict Interpretation of His Highness's Grants or Letters Patents, or the Grants or Letters Patents of any of his Royal Predecessors, of any Manors, Lands, Tenements or Hereditaments; and yet the Grantees or Patentees deriving their Estates by or from His Majesty or his Predecessors, have been too apt and ready to exact the Advantage of such Forfeiture, where His Majesty himself or his Predecessors have not required the same, which hath been ever held an unequal and extreme Course, and hath many Times been relieved by Suits in Courts of Equity, though with the great Charge and Trouble of the Parties endangered thereby:

In what Case no
Advantage taken
against the King's
Patentees or Ten-
ants for Non-
payment of
Rent, &c.

II. For Remedy whereof as well where the King as any of his Predecessors or Successors hath granted or shall grant the said Manors, Lands, Tenements or Hereditaments, or any Part thereof, or the Reversion of any Part thereof, to any other, as where the Reversion, Remainder or Estate thereof is or shall be in the King's Majesty, or his Successors, in the Right of the Crown of England, or Duchy of Lancaster, or otherwise, his Majesty of his abundant

Grace

Grace towards his loving Subjects is graciously pleased that it be enacted; and be it enacted by the King's most excellent Majesty, by and with the Assent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons, Bodies Politick or Corporate, having, holding or possessing, or which hereafter shall have, hold or possess, any Manors, Lands, Tenements or Hereditaments, by virtue or colour of any original Grant or Lease, or Assignment of the same, made by the King's Majesty, or any of his Predecessors, or to be made by any of his Successors, for any Number of Years, for Life or Lives, in Fee-tail or Fee-simple, or other Estate, whereupon any Rent, Service or other Duty hath been, is or shall be reserved or payable with or under any Condition or Limitation of Re-entry, Cesser, or to be void for Default of Payment of such Rent, or Performance of such Service or Duty, heretofore hath made, or any other by, from or under whom he claimeth, hath made, or any which hereafter shall have, hold or possess, shall make any Default therein, and yet after such Default made, such Rent, Service or other Duty hath been or shall be answered, paid or done unto his Majesty, or any of his Predecessors or Successors, into his or their Receipt of the Exchequer, or Duchy of Lancaster, or Court of Wards (a), or to any other having Authority to receive the same, as the Case shall require, before any Advantage of such Forfeiture or Cause of Forfeiture hath been or shall be taken, and before any Commission awarded to enquire, or other Process issued touching the said Forfeiture, or Non-payment of Rent, that in all such Cases no Advantage shall be taken by His Majesty, his Heirs or Successors, of, for or by Reason of any such Forfeiture or Cause of Forfeiture.

(a) [See 12 Car. 2. c. 24. § 1.]

III. And be it further enacted, That no Person or Persons claiming, or which afterwards shall claim, by, from or under his Majesty, or any of his Predecessors or Successors, at any time after such Cause or Title of Forfeiture given, shall in any wise have or take any Benefit or Advantage, by Reason, Means or Colour of such Default made or to be made; but that every such Estate forfeited or forfeitable by Means or Occasion of such Default of Payment of Rent, or Performance of Service or other Duty, shall be adjudged to continue and have its being, as if no such Default or Cause of Forfeiture had been had or made; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

Proviso for
Estates forfeited.

C A P. XXVI.

An Act against such as shall levy any Fine, suffer any Recovery, † knowledge any Statute, Recognizance, Bail or Judgment, in the Name of any other Person or Persons not being privy and consenting thereto.

† See Cash

‘ WHEREAS it is of late grown to be a great and general
‘ Grievance to his Majesty's Subjects within the Realm
‘ of *England*, and the Dominion of *Wales*, that many lewd Per-
‘ sons of base Condition, for very little Reward or Recompence,
‘ have of late Years used and still do use to levy Fines, and
‘ suffer

‘ suffer Recoveries of Lands and other Hereditaments, to acknowledge Statutes, Recognizances, Bails and Judgments, in the Name or Names of any other Person or Persons not privy or consenting to the same, which hath and daily doth turn to the great Inquietation, Charge, Trouble and Undoing of many of the good Subjects of this Kingdom, and the rather, for that there is no Remedy in Law to reform these and the like Abuses :’

Levyng Fine,
&c. in another's
Name not privy
thereto.

II. For Remedy whereof, be it enacted by the King's most excellent Majesty, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person and Persons which at any Time after the End of this present Session of Parliament shall acknowledge or procure to be acknowledged, any Fine or Fines, Recovery or Recoveries, Deedor Deeds inrolled, Statute or Statutes, Recognizance or Recognizances, Bail or Bails, Judgment or Judgments, in the Name or Names of any other Person or Persons not privy or consenting to the same, and being thereof lawfully convicted or attainted, shall be adjudged, esteemed and taken to be Felons; and suffer the Pains of Death, and incur such Forfeitures and Penalties, as Felons in other Cases convicted or attainted do by the Laws of *England* lose and forfeit, without the Benefit or Privilege of Clergy to be allowed to any such Offender or Offenders. Provided always, that such Attainder shall not be any Corruption of Blood, nor Loss of Dower to the Wife, but the next Heir shall have the Lands whereof such Persons attainted died seised, and such Wife her Dower, as if no such Attainder had been had.

Felony.

Corruption of
Blood, &c.

Attorney.

III. Provided always, and be it likewise enacted by the Authority aforesaid, That this Act shall not extend to any Judgment or Judgments acknowledged by any Attorney or Attornies of Record, for any Person or Persons against whom any such Judgment or Judgments shall be had or given.

C A P. XXVII.

An Act to prevent the Destroying and Murdering of Bastard Children.

[*Repealed*, 43 G. 3. c. 58. § 3.]

C A P. XXVIII.

An Act for continuing and reviving of divers Statutes, and Repeal of divers others.

“ 21 H. 8. c. 12. 24 H. 8. c. 9. 3 & 4 E. 6. cc. 19. 21.
“ 1 Eliz. c. 17. 5 Eliz. c. 7. And so much of 5 Eliz. c. 5.
“ as is not repealed by any later Statute, nor doth concern the
“ Transportation of Herring or other Sea-fish, nor Freedom of
“ Custom, Subsidy or Tonnage for the same, nor Transportation
“ of Corn, nor the prohibiting the bringing into this Realm any
“ Cod or Lings in Barrels or other Casks; together with all and
“ every other Additions, Explanations and Alterations made
“ thereunto or thereof, or of any Part thereof, by any Statute or
“ Statutes made since the making of the said last mentioned
“ Act, and in force the last Day of the Session of Parliament that
“ was in the Seventh Year of his Majesty's Reign of *England*:
“ 8 Eliz.

“ 8 Eliz. c. 10. 13 Eliz. cc. 10. 20; 21. together with all and
 “ every Explanations, Additions and Alterations thereof, or of
 “ any of them, or to any of them, made by 14 Eliz. c. 11.
 “ 18 Eliz. c. 11. 43 Eliz. c. 9. And so much of 14 Eliz. c. 5.
 “ as concerneth the taxing, rating, levying, receiving and em-
 “ ploying of Gaol-Money: And so much of 18 Eliz. c. 3. as
 “ concerneth Bastards begotten out of lawful Matrimony;
 “ 18 Eliz. c. 20. 27 Eliz. c. 19. Pr. 27 Eliz. c. 17. Pr.
 “ 27 Eliz. cc. 14. 24. 31 Eliz. c. 8. 35 Eliz. cc. 10. 11. and
 “ so much of 35 Eliz. c. 1. as hath not been thence repealed by
 “ any other Statute; 39 Eliz. c. 4. with the Provision annexed
 “ thereto by 1 Jac. 1. c. 25. § 20. 39 Eliz. cc. 10. 12. 14. 16, 17.
 “ 43 Eliz. cc. 3. 6. 43 Eliz. c. 2. with the Addition thereto made
 “ by 1 Jac. 1. c. 25. § 23. and with this further Addition, And be
 “ it enacted, That all Persons to whom the Overseers of the Poor
 “ shall, according to the said Act, bind any Children Appren-
 “ tices, may take and receive, and keep them as Apprentices;
 “ any former Statute to the contrary notwithstanding. 43 Eliz.
 “ cc. 5. 10. 1 Jac. 1. cc. 6, 7, 8, 9. 18. 1 Jac. 1. c. 22. saving
 “ for such Part thereof as is repealed by one other Act made in
 “ the Fourth Year (a) of His Majesty's Reign of *England*, in
 “ that Behalf. 1 Jac. 1. cc. 27. 31. 3 Jac. 1. cc. 8, 9, 10, 11. 19.
 “ 4 Jac. 1. cc. 2. 5. 11. 7 Jac. 1. cc. 1. 4, 5. 11, 12, 13. 17, 18.
 “ 20. continued until the End of the First Session of the next Par-
 “ liament. § 1. (a) [*Cap. 6.*]

II. Provided nevertheless, That so much of every of the said *Provis.*
 Acts, as by any new Act made in this Session of Parliament, shall
 be explained, altered or repealed, shall, for so much thereof from
 the End of this Session of Parliament, stand and be in force, as by
 those other Acts shall be ordained.

III. Provided also, and be it further enacted by the Authority *At what Price*
 of this present Parliament, That when the Prices of Corn or Grain *Corn may be*
 exceed not the Rates hereafter following, at the Times, Havens *exported.*
 and Places, when and where the same Corn or Grain shall be
 bought, shipped or loaden, viz. The Quarter of Wheat at Two
 and Thirty Shillings, the Quarter of Rye at Twenty Shillings, the
 Quarter of Pease and Beans at Sixteen Shillings, the Quarter of
 Barley or Malt at Sixteen Shillings of current *English* Money;
 that then it shall and may be lawful for all and every Person and
 Persons, being Subjects of the King's Majesty, his Heirs or Suc-
 cessors, to carry and transport of his own, and to buy to sell again
 in Markets and out of Markets, and to keep or sell, or carry and
 transport any of the said Corn and Grain, from the Places where
 they shall be of such Prices, unto any Parts beyond the Seas in
 Amity with his Majesty, as Merchandize in Ships, Crays or
 other Vessels, whereof any *English*-born Subject or Subjects then
 shall be the Owner or Owners, or the same to carry and sell in other
 Places within this Realm or Dominions thereof; any Law, Usage
 or Statute to the contrary hereof notwithstanding: And that the
 King's Majesty, his Heirs and Successors, shall have and receive by
 the Customers and Officers of his Ports, for the Custom or
 Poundage of every Quarter of Wheat, to be transported by force
 of this Statute out of this Realm, Two Shillings; of every Quar-
 ter of other Grain, Sixteen Pence: Which said several Sums so to
 be had and taken as Custom or Poundage, shall be in full Satis-
 faction

*Custom and
 Poundage of
 Corn.*

faction of all Manner of Custom or Poundage for the said Corn or Grain, by any Constitution, Order, Statute, Law or Custom heretofore made, used or taken, for transporting of any such Manner of Corn or Grain. [See 31 G. 3. c. 30.]

The King by Proclamation may restrain Exportation of Corn.

IV. Provided always, and be it enacted by the Authority of this present Parliament, That the King's Majesty, his Heirs and Successors, may at all Times by his and their Writ of Proclamation, to be published generally in the whole Realm, or in any of the Counties of the Realm where any Port Towns are, command, That no Person shall by virtue of this Act transport or convey any Manner of Grain out of His Highness Dominions generally, or out of any special Ports to be in the same Proclamation particularly named, for such Time as shall be therein limited and appointed: And it shall not be lawful for any Person to carry out any such Grain, contrary to the Tenor of the same Proclamation, upon such Pains and Forfeitures as by the Laws and Statutes of this Realm are and have been provided and ordained in that Behalf; this Act or any Thing therein contained to the contrary notwithstanding. [See 31 G. 3. c. 30. § 14.]

Welsh Cottons.

V. Provided also, and be it enacted, That no Person or Persons shall incur any Penalty for want of Length, Breadth or Weight of *Welsh Cottons*, under the Price of Fifteen Pence the Yard or Two Shillings the Goad, so as they be not mixt with Hair or other deceitful Stuff, nor for any others above that Price, except they be mixt as aforesaid, or shall shrink above the Rate of Half a Yard in Twelve Yards of Length, or weigh less than Fourteen Ounces the Yard, or hold not full Three Quarters of a Yard broad.

Sanctuary.

VI. And be it further enacted by the Authority aforesaid, That all Statutes heretofore made, that take away Sanctuary for any Offence, shall, for so much as concerneth the taking away of such Sanctuary, be revived, and shall be and stand in Force and Power; any Words of Repeal contained in the Statute made in the First Session of Parliament held in the First Year of His Majesty's Reign of *England*, intituled, *An Act for continuing and reviving divers Statutes, and for repealing of some others*, or in this present Act to the contrary notwithstanding.

1 Jac. 1. c. 45.

Sanctuaries taken away.

VII. And be it also enacted by the Authority of this present Parliament, That no Sanctuary or Privilege of Sanctuary shall be hereafter admitted or allowed in any Case.

5 Eliz. c. 9.

VIII. And whereas in a Session of Parliament holden in the Fifth Year of the Reign of the late Queen *Elizabeth*, one Act was made, intituled, *An Act for the Punishment of such as shall procure or commit Perjury*: And by one other Act made in the Session of Parliament begun in the Eight and twentieth Year of the Reign of the said late Queen *Elizabeth*, it was enacted, That the said Act should from thenceforth be, remain and continue in Force and Effect for ever: And yet nevertheless in the Parliament holden in the First Year of His Majesty's Reign of *England*, by one Act, intituled, *An Act for continuing and reviving of divers Statutes*, and for repealing of some other, it was amongst other Things, enacted, That the said Act made in the said Fifth Year of the said late Queen *Elizabeth*, for Punishment of Perjury, should be revived and continued until the End of the First Session of the next Parliament; It is now declared and enacted

29 Eliz. c. 5.
§ 2.

1 Jac. 1. c. 25.
§ 49.

enacted by Authority of this present Parliament, That the said Act concerning Perjury made in the said Fifth Year, and every Clause, Branch, Article and Provision therein, doth now stand, and shall from henceforth be, remain and continue in Force and Effect for ever. 5 Eliz. c. 9. made perpetual.

“ 25 H. 8. c. 11. repealed by 3 & 4 E. 6. c. 7. revived until the
 “ End of the First Session of the next Parliament. § 9. 1 M.
 “ Seff. 3. c. 5. revived until the End of the First Session of the
 “ next Parliament. § 10. 4 E. 3. c. 8. reciting, That before that
 “ time a Horseman was wont to have his Passage over the Sea
 “ from the Port of *Dover* for Two Shillings, and a Footman for
 “ Six pence; and ordering concerning Passage at *Dover* and other
 “ Places, as in the said Statute is contained. 13 R. 2. Stat. i.
 “ c. 20. by which it is enacted, That all Pilgrims, and all other
 “ People, except certain Persons in that Statute excepted, shall
 “ pass at the Ports of *Dover* and *Plymouth*, and not elsewhere,
 “ without special Licence of the King himself. 4 E. 4. c. 10.
 “ and all other Statutes therein recited or mentioned. 37 E. 3.
 “ c. 3. (a) 34 E. 3. c. 6. 34 E. 3. c. 20. 17 R. 2. c. 7. 3 E. 4.
 “ c. 2. 4 & 5 H. 7. c. 9. 14 R. 2. c. 7. 15 R. 2. c. 8. 4 H. 5.
 “ c. 3. 36 E. 3. c. 8. 2 H. 5. Stat. 2. c. 2. So much of 4 & 5 H. 7.
 “ c. 8. as appointed the Rates and Prices how Broad Cloths of the
 “ Colour of Scarlet, or other Colours, and other Cloths shall be
 “ sold. 11 H. 7. c. 2. 7 R. 2. c. 5. 19 H. 7. c. 12. 23 E. 3.
 “ c. 7. 7 R. 2. c. 5. 12 R. 2. cc. 3, 4, 5, 6, 7, 8, 9. 22 H. 8.
 “ c. 12. 3 & 4 E. 6. c. 16. 11 H. 6. c. 12. Part of one Sta-
 “ tute, commonly called *Statutum de Pistoribus* (b), which or-
 “ daineth, That the Assize of Wine shall be kept according to
 “ the Assize of our Sovereign Lord the King, that is to wit, a
 “ Sextern at Twelve pence; and that if the Taverners exceed the
 “ same Assize, their Doors shall be shut up by the Mayors and
 “ Bailiffs, and shall not be suffered to sell Wine until they have
 “ obtained Licence of the King. 24 H. 8. c. 6. That Part of
 “ 28 H. 8. c. 14. by which it is ordained, That no Person or
 “ Persons shall sell any *Gascoigne*, *Guyen* or *French* Wines, above
 “ certain Prices in that Act mentioned, under the Pain in the
 “ said Act specified; and that no *Malmseys*, *Romneys*, *Sacks* or
 “ other Sweet Wines, shall be sold by Retail above the Prices
 “ therein contained, under the Pains in that Act mentioned: That
 “ Part of 25 H. 8. c. 18. by which it is enacted, That the Lords
 “ and Owners of the Meases, Tenements or Cottages in the City
 “ of *Worcester* and other Towns and Boroughs in the said Act
 “ mentioned, should at no time after that admit, set or let any
 “ Mease, Tenement or Cottage sufficiently repaired within the
 “ said City, Borough or Towns, in that Act limited, to any Per-
 “ son or Persons that after that should inhabit in the said City,
 “ Borough or Towns, and exercising the Mysteries or Craft in that
 “ Act mentioned, at any higher Rent, Imposition or Charge, than
 “ was given for the same at any Time within Twenty Years next
 “ before the making of that Act (c). 4 & 5 H. 7. c. 19. 7 H. 8.
 “ c. 1. 27 H. 8. c. 22. 5 & 6 E. 6. c. 5. 5 Eliz. c. 2. That Part

(a) [Repealed, ante cap. 21. § 1.]

(b) [*Stat. de Pistoribus*, c. 5. *Stat. incert. temp.* Vol. i. p. 218.]

(c) [*The whole Act repealed*, 49 G. 3. c. 109. § 1.]

of 27 H. 8. c. 28. by which it was ordained, That all and singular Persons, Bodies Politick and Corporate, to whom the King's Majesty after that should give, grant, let, set or demise any Site or Precinct, with the Houses thereupon builded, together with the Demesnes of any Monastery, Priory or other Religious Houses, that should be dissolved or given to the King by that Act, shall be bound to keep House and Household, and occupy Demesnes in Plowing and Tilling of Husbandry, as in that Act is specified, under the Pains therein contained. 14 R. 2. c. 4. That Part of 8 H. 6. c. 5. by which it is enacted, That no Man buy Yarn of Wool, called Woollen Yarn, unless he will make Cloth thereof. 5 & 6 E. 6. c. 7. 33 H. 8. c. 5. So much of 13 E. 1. Stat. Wynt. c. 6. commonly called the Statute of *Winchester*, as concerneth the having, keeping and view of Harness and Arms: That Part of the Statute commonly called *Articuli super Chartas* (a), by which it is ordained, That none shall make Rings, Crosses or Locks; that Part of 37 E. 3. c. 7. by which it is ordained, That Makers of white Vessels shall not gild: That Part of 2 H. 5. Stat. 2. c. 4. by which Goldsmiths are prohibited to take more than Forty six Shillings and Eight pence for a Pound Troy of Silver Gilt: That Part of 2 H. 6. c. 13. by which it is enacted, That no Silver be bought for more than Thirty Shillings the Pound of Troy. 2 H. 4. cc. 6. 12. 16, 17, 18. 20. 4 H. 4. cc. 26. 28. 30, 31, 32, 33, 34. 9 H. 4. c. 3. So much of 25 H. 6. c. 1. as concerneth the confirming of Statutes made before that time against *Welshmen*, and making void, Grants of Franchises made to *Welshmen*, and concerning Villains in *Wales*: That Part of 13 R. 2. Stat. 1. c. 8. by which it is ordained, That Hostlers shall sell Hay and Oats at a reasonable Price, so that they take not but one Halfpenny over the common Price in the Market (b); that Part of 4 H. 4. c. 25. by which it is enacted, That Hostlers shall incur the Quadruple Value of that that he hath taken over one Halfpenny of every Bushel of Oats above the common Price in the Market: One Part of 4 & 5 P. & M. c. 5. (c) and other Statutes, by which it is enacted, That none shall put to Sale within the Realm of *England* any coloured Cloth of any other Colour or Colours, than are in these Acts mentioned: One other Part of the same Statute of *Philip and Mary*, by which it is ordained, That after the First Day of *May* then next coming, none shall use or exercise the Feat or Mystery of making, weaving or rowing of Woollen Cloths long or short, or Kerseys, pined Whites or Plains Strayts, to the Intent to put the same to Sale, but only in a Market Town where Cloth had used to be made by the Space of Ten Years then last past, or in a City, Borough or Town Corporate, upon the Pains therein contained: And 18. Eliz. c. 16. repealed. § 11.

32 H. 8. c. 13.

XII. And be it also enacted, That so much of the Statute made in the Thirty second Year of the Reign of the late King *Henry* the Eighth, intituled, *An Act concerning the Breed of Horses of higher Stature*, as concerneth or inhibiteth the putting of Horses into certain Grounds, unless they be of Statutes in that Act men-

(a) [28 E. 1. c. 20.]

(b): [Repealed, ante cap. 21. § 1.]

(c) [Wholly repealed, 49 G. 3. c. 109. § 1.]

tioned, under the Pains therein contained, and that giveth Authority to kill Mares, Fillies, Foals or Geldings, in certain Cases in that Act mentioned, shall not extend to the County of *Cornwall* *Cornwall*, after the End of this Session of Parliament.

C A P. XXIX.

An Act to enable the most excellent Princee *Charles*, to make Leases of Lands, Parcel of his Highnesses Duchy of *Cornwall*, or annexed to the same.

I. IN most humble wise beseecheth Your most excellent Majesty, your humble and obedient Son and Suppliant, *Charles* Prince of *Wales*, Duke of *Cornwall* and of *Tork*, and Earl of *Chester*, That whereas your said Suppliant is seized of the said Dukedom of *Cornwall*, and the Possessions thereof, of a State of Inheritance, under a special Form of Limitation differing from the ordinary Rules of Inheritance at the Common Law, whereupon some Questions do grow, whether Leases made by your said Suppliant, of any Manors, Lands, Tenements or Hereditaments, Parcel of the said Duchy, or annexed to the same, should be good and effectual in Law longer than your Suppliant's Life: For avoiding of which Doubt, and to the End such Persons as have taken; or shall take Leases from your Suppliant, may be sure to have good Estates, and so to be encouraged to bestow Charges in the Building and Maintaining of their Houses, and good manuring of their Manors, Lands, Tenements or Hereditaments so demised, or to be demised to them :

II. May it please Your most excellent Majesty, That it may be ordained and enacted by your Majesty, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled; and be it ordained, established and enacted by Authority of this present Parliament, That all Leases made or to be made by your said Suppliant, of any Manors, Lands, Tenements or Hereditaments, Parcel of the Possessions of the said Duchy of *Cornwall*, or annexed to the same, shall be good and effectual in Law, according to the Purport and Content of the said Leases, against Your Majesty, your Heirs and Successors, and against your said Suppliant and his Heirs, and against all and every Person and Persons that shall inherit or succeed according to the said Limitation or otherwise.

Leases by the
Prince con-
firmed.

III. Provided always, That every such Lease so made, or to be made, of any Manors, Lands, Tenements or Hereditaments in Possession, be or shall be made, by Deed indented, and but for Three Lives or fewer, or for One and thirty Years or under, or some other Term of Years, determinable upon One, Two or Three Lives, and not above: And if such Leases be made in Reversion, that then the same, together with the Estates in Possession, do not exceed Three Lives, or the Term of One and thirty Years, and not in any wise dispendable of Waste; and so as upon every such Lease be, or shall be reserved the ancient or most usual Rent, or such Rent as hath been yielded or paid for the greater Part of Twenty Years next before the making of the said Leases, and was or shall be reserved, due and payable, by or to him or her that had, or shall have the Inheritance, or other Estate

Exceptions

of the said Manors, Lands, Tenements or Hereditaments: And where no such Rent hath been reserved or payable, that then upon every such Lease there be or shall be reserved a reasonable Rent, not being under the Twentieth Part of the clear yearly Value of the Manors, Lands, Tenements or Hereditaments contained in such Lease.

Covenants, &c.
good.

IV. And be it further ordained and enacted by Authority of this present Parliament, That all Covenants, Conditions and Reservations, and other Agreements contained in every such Lease so made, or to be made, as aforesaid, shall be good and effectual in Law, according to the Words and Contents of the same, as well for and against them to whom the Reversion of the same Manors, Lands, Tenements or Hereditaments shall come, as for and against them to whom the said Leases shall come respectively, as if your Suppliant at the time of the making of such Covenants, Conditions and Reservations, and other Agreements, had been seised of an absolute Estate in Fee-simple, in the same Manors, Lands, Tenements or Hereditaments: Saving always, to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, Executors, Administrators and Assigns, (other than Your Majesty, Your Heirs and Successors, and other than your Suppliant and his Heirs, and all and every Person and Persons that shall inherit or succeed, according to the said Limitation or otherwise) all such Rights, Titles, Estates, Customs, Interests, Terms, Claims and Demands whatsoever, of what Kind, Nature or Quality soever, of, in, to or out of the said Manors, Lands, Tenements or Hereditaments, or any of them, as they or any of them had or ought to have had before the making of this Act, to all Intents and Purposes, and in as large and ample Manner and Form, as if this Act had never been had or made; this Act or any Thing therein contained to the contrary notwithstanding.

General Saving.

[See 1 Car. 1. c. 2.]

C A P. XXX.

An Act for the assuring of a Messuage called *York House*, and of other Tenements belonging to the Archbishop of *York*, to the King's Majesty, and of the Manors and other Lands in the County of *York*, to *Toby*, Archbishop of *York*, and his Successors.

C A P. XXXI.

An Act for the good Order and Government of the Makers of Knives, Sickles, Sheers, Scissors and other Cutlery Wares in *Hallamshire* in the County of *York*, and the Parts near adjoining.

C A P. XXXII.

An Act for the making of the River of *Thames* navigable for Barges, Boats and Lighters, from the Village of *Bercot*, in the County of *Oxon*, unto the University and City of *Oxon*.

WHEREAS the clearing and effecting of a Passage for Barges, Boats and Lighters, by the River of *Thames*, to the University and City of *Oxon*, will be very convenient for Conveyance

• Conveyance of Free-Stone, commonly called *Oxford Stone*, or
 • *Haddington Stone*, from *Bullington Quarry*, near the said City
 • and River of *Thames*, by the said Passage, to the City of *Lon-*
 • *don* and other Parts, and most profitable and necessary to and
 • for the said University and City of *Oxon*, for Conveyance thereby
 • of Coals, Fuel and other Neccessaries, to the said University and
 • City, whereof there is now very great Scarcity and Want, and
 • far greater hereafter like to grow, if some Help therefore be not
 • made and provided: And also the said Passage will be very be-
 • hoveful for preserving of the Highways leading to and from
 • the said University and City, and other Parts thereabouts, which
 • now by continual Carriages by Carts are so worn and broken,
 • that in Winter Season they are for Travellers dangerous, and
 • hardly to be amended and continued passable without exceeding
 • Charge: And whereas the said River of *Thames*, for many Miles
 • beyond the said City of *Oxford*, Westward, is already navigable
 • and passable for Boats of good Burthens and Contents, and like-
 • wise is already navigable for Barges from *London* to the Village
 • of *Bercot* in the County of *Oxford*, being within Six or Seven
 • Miles of the City of *Oxford*, whither and from whence, by the
 • Carriage of Stone, Iron and other Provision, by Carts, the
 • Highways are spoiled, as aforesaid: And whereas the said River
 • may easily be made passable and navigable for Barges, Boats
 • or Lighters, between the aforesaid University and City of *Oxford*
 • and the Village of *Bercot* aforesaid, by removing some Lets and
 • Impediments, by which Means the said University and City of
 • *Oxford* shall be greatly relieved and helped: Be it therefore
 • ordained and enacted by the King's Majesty, the Lords Spiritual
 • and Temporal, and the Commons, in this present Parliament
 • assembled, and by the Authority of the same, That the Lord
 • Chancellor or Lord Keeper of the Great Seal of *England* for the
 • time being, at any time after the End of this present Session of
 • Parliament, shall and may, at the Request of the Chancellor of the
 • said University, or his Vice-Chancellor, for the time being, appoint
 • and authorize by Commission under the Great Seal of *England*
 • Eight Commissioners, whereof Four to be of or for the University
 • aforesaid, to be chosen by the said Chancellor of the said Univer-
 • sity, or his Vice-Chancellor, for the time being, and by them or
 • either of them to be nominated and certified to the aforesaid Lord
 • Chancellor or Lord Keeper of the Great Seal of *England*, and
 • Four to be of or for the City of *Oxon*, to be chosen and nominated
 • by the Mayor, Bailiffs and Commonalty of the said City of *Ox-*
 • *ford* for the time being, and to be certified by them as aforesaid;
 • which said Commissioners or the more Part of them shall have full
 • Power to cleanse, scower, open and make navigable the said River
 • of *Thames*, from the said City of *Oxon* to the Village of *Bercot*
 • aforesaid, and for that Purpose to dig the Banks of the said River
 • or other Ground, Ditch, Brook or Stream near thereunto adjoining,
 • and to cut away all Trees and Roots of Trees that may be
 • hurtful or Hindrance to the said Passage, and to open, prepare
 • or make all Wears and Locks or Turnpikes fit for the said Pas-
 • sage, and to remove any Thing that shall be any Impediment or
 • Stop to the clearing and making of the said Passage; and likewise
 • to cut, scower or open any other Stream or Water Course that shall
 • be most convenient for making the said Passage or River navigable;

Commissioners
 appointed to
 make the
 Thames navi-
 gable from Ox-
 ford to Bercot.

and likewise to make and erect any Wharfs, Locks or Turnpikes, or Pens for Water, in or near the said River or Passage, that shall be fit or necessary for the same, and to bring, lay and work all Materials requisite for the making, erecting and repairing of the said Locks or Turnpikes upon the Banks or Ground near the said River or Passage.

Commissioners
shall agree with
and satisfy Par-
ties.

‘ II. And for that the doing of the Things aforesaid may be prejudicial to the Inheritance and Profit of divers Persons, Bodies Politick or Corporate, that have Land adjoining to the said River or Passage,’ Be it further enacted by the Authority aforesaid, That the Commissioners aforesaid or the more Part of them, before they do meddle with the Lands, Inheritance or Possession of any Person or Persons, Bodies Politick or Corporate, shall first agree with such Persons, or Body Politick or Corporate, for the Loss and Damage that any of them shall any way receive by the making of the said Passage or any Thing concerning the same; and if the said Commissioners or the more Part of them, and the Party or Parties Owner of such Lands, Inheritance or Possessions, cannot agree touching the Value thereof, that then the Three next Justices of Peace of the County where the Land doth lie, being no Parties, nor dwelling within the University or City of *Oxon*, nor interested in the Soil, dwelling nearest to the said Land or Inheritance, or in their Default the Justices of Assize of the said County of *Oxon*, shall determine, appoint and set down what and how much satisfaction every such Person or Persons, Body Politick or Corporate, shall have for or in respect of the said Losses so by him or them to be sustained; and the said Price or Value so set down by them shall bind all Parties: Which Agreement or Order so made shall be set down in Writing under the Hands and Seals of the said Commissioners and Parties, upon the Agreement between them made, or of the said Justices of the Peace, or Justices of Assize of the said County, which shall set down the said Price for Satisfaction, within Three Months after the First Resort unto them for that Cause, according to this Act, and the same to be kept among the Evidences of the said University, and to be registred in the Lieger-Book of the said University, and to be inrolled in the Court of the said City of *Oxford*: And that then upon Payment of such Sum or Sums of Money so agreed upon or ordered as aforesaid, or Tender thereof made, with Purpose to pay the same, it shall then be lawful to and for the said Commissioners or the more Part of them, to dig and make or cause to be digged or made, the said Locks, Wharfs, Passage, or do any such other Act for which any such Agreement or Order shall be made as aforesaid.

Commissioners
may tax the
University and
City of *Oxford*.

‘ III. And for that the said Passage cannot be effected and maintained without great Charge, and that the principal Benefit thereof will redound immediately to the University and City of *Oxford* aforesaid,’ Be it therefore further enacted by the Authority aforesaid, That the said Commissioners, or the more Part of them, by this present Act shall have full Power and Authority to tax and assess the Inhabitants within the said University and City of *Oxon*, or within either of them, and Suburbs thereof, and Bodies Politick and Corporate within the same, at such reasonable Sums and Payments for the Purposes aforesaid, as they in their Discretions shall think meet; the said Sums and every of them to be disposed

disposed and employed for and towards the bearing of the Charge of making and maintaining of the said Passage.

IV. And whereas the said University and City are the Procurers of the said Passage, Be it further enacted by the Authority aforesaid, That the Commissioners aforesaid, or the more Part of them, by virtue of this Act, shall have Power and Authority from time to time, with the Consent of the Vice-Chancellor of the said University, and Mayor of the City of *Oxford*, for the time being, to ordain and make Orders and Constitutions for the good and orderly Usage of the said Passage, and for all Locks, Wears or Turnpikes thereof, to be made and maintained at the Charge of the University and City of *Oxon* aforesaid; and for all Boats, Boatmen, Passengers, Wharfs, Carriages and Rates for Carriages, by or through the said Passage, and all Things concerning the same; and to set, lay and execute such reasonable Pains and Punishments upon the Breakers thereof as they shall think fit: Nevertheless, the Justices of Assize of the said County of *Oxford* for the time being, upon Complaint made to them by any Person grieved with the said Taxations, Assessments, Charges, Orders, Constitutions, Pains and Punishments, or any of them, shall and may abridge, moderate or reform the same, as they shall find just Cause.

May constitute Orders for Usage of Passage.

V. And be it further enacted by the Authority aforesaid, That when any of the said Commissioners shall happen to die, or become unfit for the Service, that then and so often, it shall and may be lawful to and for the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the time being, from time to time to supply, appoint and authorize One Commissioner or so many Commissioners to be nominated, chosen and certified as aforesaid, out of and for the said University or City respectively, as shall make and fill up the full Number of Eight Commissioners: And that the Commissioners aforesaid or the more Part of them, by the Authority of this Act, shall have full Power to choose, nominate and appoint one or more such Person or Persons as they shall think fit, to collect, gather and lay out the said several Sums; and the Person and Persons so appointed shall gather and take up the said Sums assessed, by Distress and Sale of the Goods of every Person refusing to pay the Tax or Assessment imposed upon him, restoring to the Person whose Goods shall be so distrained, the Overplus (if any be) of the Price thereof, being sold. And for that the said Passage from *Bercot* aforesaid to the said City of *Oxford*, is against the Stream, the Barges, Boats, Lighters or other Vessels, must of Necessity in some Places and at some Times be haled up by the Strength of Men, Horses, Winches, Engines or other Means in that Behalf convenient; Be it therefore enacted by the Authority of this present Act, That it shall and may be lawful to and for Watermen, Boatmen, Bargemen and other Helpers of them, in convenient Places, to have and use Winches, Ropes and other Engines, and with the same by Strength of Men and Horses or either of them, going up the Land or Banks near the said River or Passage, through the said Passage, without the Hinderance, Trouble or Impeachment of any Person or Persons, to draw or hale up the Barges, Boats, Lighters or other Vessels, doing none other Harm than only by going or treading upon the said Land or Banks near adjoining as aforesaid.

When Commissioners fail, Lord Chancellor, &c. may appoint others.

Commissioners may appoint Collectors.

Boatmen, &c. may go on Land.

VI. Provided

Proviso for University and City.

VI. Provided always, That no privileged Person of the University of *Oxford* shall be taxed as aforesaid, without the Consent of Two or more of the Commissioners of or for the said University, nor any Freemen inhabiting of or in the said City, or the Suburbs or Liberties thereof, shall be taxed as aforesaid, without the Consent of Two or more of the Commissioners of or for the said City.

Channel of Thames not to be diverted.

VII. Provided also, That this Act, nor any Thing therein contained, shall give Power and Authority to the said Commissioners or enable them to do any Act or Thing, whereby the said River of *Thames* shall be diverted or turned out of his ancient Course or Channel wherein the same now runneth, or to draw more Water thence than shall conveniently serve for the said Passage.

§ Jac. 1. c. 20.
repealed.

VIII. And be it further enacted by the Authority of this present Parliament, That one Act of Parliament made in the Third Year of the King's Majesty's Reign, the Twentieth Chapter, intituled, *An Act for clearing the Passage by Water from London to and beyond the City of Oxon*, shall be from henceforth utterly repealed and of none Effect.

C A P. XXXIII.

An Act for Four intire Subsidies granted by the Spirituality.
EXP.

C A P. XXXIV.

An Act for Three intire Subsidies, and Three Fifteenths and Tenths granted by the Temporalty. EXP.

C A P. XXXV.

An Act for the King's free and general Pardon.

[*The Roll is here indorsed*, "Rotulus Judicii reddit. in Parlamento apud Westm. Anno vicesimo primo Jacobi Regis versus Lionell. Comitem Middlesex," and is intituled, "Altera pars Rotuli Parliamenti tent. apud Westm. decimo nono Die Februarii anno Regni Jacobi Regis Anglie, Scotie, Francie et Hibernie, viz. Anglie, Francie et Hibernie vicesimo primo, et Scotie quinquagesimo septimo," and contains only certain Proceedings which in the Calendar are intituled, "An Act containing the Censure given in Parliament against Lionell Earl of Middlesex."]

End of the Statutes of King JAMES I.

Anno Regni CAROLI Regis Angliæ, Scotiæ, Franciæ
& Hiberniæ, primo. (A.D. 1625.)

[The Title of the Roll is as follows : " Rotulus Parliamenti tenti
" apud Westmonasterium decimo octavo Die Junii anno Regni
" serenissimi Domini nostri Caroli Dei Gratia Angliæ, Scotiæ,
" Franciæ et Hiberniæ Regis Fidei Defensoris, &c. primo."]

C A P. I.

An Act for punishing of divers Abuses committed on the
Lord's Day, called *Sunday*.

FORASMUCH as there is nothing more acceptable to God
than the true and sincere Service and Worship of him ac-
cording to his Holy Will, and that the holy keeping of the
Lord's Day is a principal Part of the true Service of God,
which in very many Places of this Realm hath been and now
is profaned and neglected by a disorderly sort of People, in
exercising and frequenting Bear-baiting, Bull-baiting, Inter-
ludes, Common Plays and other unlawful Exercises and Pastimes
upon the Lord's Day ; and for that many Quarrels, Bloodsheds
and other great Inconveniencies have grown by the Resort and
Concourse of People going out of their own Parishes to such
disordered and unlawful Exercises and Pastimes, neglecting Di-
vine Service both in their own Parishes and elsewhere ; Be it
enacted by the King's most excellent Majesty, the Lords Spiritual
and Temporal, and the Commons, in this present Parliament
assembled, and by the Authority of the same, That from and after
Forty Days next after the End of this Session of Parliament,
there shall be no Meetings, Assemblies or Concourse of People out
of their own Parishes on the Lord's Day, within this Realm of
England or any the Dominions thereof, for any Sports and
Pastimes whatsoever ; nor any Bear-baiting, Bull-baiting, Inter-
ludes, Common Plays or other unlawful Exercises and Pastimes,
used by any Person or Persons within their own Parishes ; and
that every Person or Persons offending in any the Premises, shall
forfeit for every Offence Three Shillings Four Pence, the same to
be employed and converted to the Use of the Poor of the Parish
where such Offence shall be committed ; and that any one Justice
of the Peace of the County, or the Chief Officer or Officers of
any City, Borough or Town Corporate, where such Offence
shall be committed, upon his or their View, or Confession of the
Party, or Proof of any one or more Witnesses by Oath, which
the said Justice or Chief Officer or Officers shall by virtue of this
Act have Authority to minister, shall find any Person offending
in the Premises, the said Justice or Chief Officer or Officers shall
give Warrant under his or their Hand and Seal, to the Con-
stables and Churchwardens of the Parish or Parishes where such
Offence shall be committed, to levy the said Penalty so to be
assessed, by way of Distress and Sale of the Goods of every
such Offender, rendering to the said Offenders the Overplus of
the Money raised of the said Goods so to be sold ; and in de-
fault

Unlawful Meet-
ings, &c. for-
bidden.

Penalty.

Distress.

Stocks.

General Issue.

Limitation of
Action.Ecclesiastical
Jurisdiction.

Continuance.

fault of such Distress, that the Party offending be set publickly in the Stocks by the Space of Three Hours; and that if any Man be sued or impeached for Execution of this Law, he shall and may plead the General Issue, and give the said Matter of Justification in Evidence: Provided, That no Man be impeached by this Act except he be called in question within one Month next after the said Offence committed: Provided also, That the Ecclesiastical Jurisdiction within this Realm, or any the Dominions thereof, by virtue of this Act or any Thing therein contained, shall not be abridged, but that the Ecclesiastical Court may punish the said Offences as if this Act had not been made. This Act to continue until the End of the First Session of the next Parliament and no longer.

[Continued, 3 Car. 1. c. 4. § 22. 16 Car. 1. c. 4. Enforced,
29 Car. 2. c. 7.]

C A P. II.

An Act to enable the King to make Leases of Lands, Parcel of His Highness Duchy of Cornwall, or annexed to the same.

WHEREAS the King our Sovereign Lord being, in the Lifetime of his Royal Father of blessed Memory, seised of the said Dukedom of Cornwall, did bargain and contract for Leases and Estates to be made of divers Messuages, Lands, Tenements and Hereditaments, Parcel of the said Dukedom of Cornwall, which Leases and Estates His Majesty was enabled to have made in his Father's Life-time, by an Act of Parliament made in the last Session of Parliament, intituled, *An Act to enable the next excellent Prince Charles, to make Leases of Lands, Parcel of His Highness Duchy of Cornwall, or annexed to the same*: And because His Majesty having received divers Fines and Sums of Money, according to the said Contracts, and having entered into Treaty with divers others for like Estates, the finishing of which Contracts, and making the said Leases, was prevented by His Majesty's Access to the Imperial Crown of this Realm, is graciously pleased for the Good of his poor Tenants of the said Duchy Lands, to proceed to the full Accomplishment of the Contracts, and Leases of the Premises:

II. Be it therefore enacted by our said Sovereign Lord the King, the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of this present Parliament, That all Leases to be made within the Space of Three Years next ensuing by our said Sovereign Lord the King, by Letters Patents, Indentures or other Writings under his Great Seal of England, or Seal of the Court of Exchequer, of any Manors, Lands, Tenements or Hereditaments, Parcel of the Possessions of the said Duchy of Cornwall, or annexed to the same, shall be good and effectual in Law, according to the Purport and Content of the said Leases, against our said Sovereign Lord the King's Majesty, his Heirs and Successors, and against all and every Person or Persons that shall hereafter have, inherit or enjoy the said Dukedom of Cornwall, by force of any Act of Parliament, or other Limitation whatsoever.

III. Provided

as Jac. 1. c. 29.

Leases made
within three
Years.

III. Provided always, That every such Lease so to be made, of any Manors, Lands, Tenements or Hereditaments in Possession, shall be made but for Three Lives, or fewer, or for One and thirty Years or under, or some other Term of Years determinable upon One, Two or Three Lives, and not above: And if such Leases be made in Reversion, that then the same, together with the Estates in Possession, do not exceed Three Lives, or the Term of One and thirty Years, and not in any wise dispunishable of Waste; and so as upon every such Lease shall be reserved the ancient or most usual Rent, or such Rent as hath been yielded or payed for the greater Part of Twenty Years next before the making of the said Leases, and shall be reserved due and payable by or to him or her that shall have the Inheritance or other Estate of the said Manors, Lands, Tenements or Hereditaments: And where no such Rent hath been reserved or payable, that then upon every such Lease there shall be reserved a reasonable Rent, not being under the Twentieth Part of the clear yearly Value of the Manors, Lands, Tenements or Hereditaments contained in such Lease.

Exceptions

Ancient Rent,
&c. reserved.Covenants, &c.
good.

General Saving

IV. And be it further ordained and enacted by Authority of this present Parliament, That all Covenants, Conditions and Reservations, and other Agreements contained in every Lease so to be made as aforesaid, shall be good and effectual in Law, according to the Words and Contents of the same, as well for and against them to whom the Reversion of the same Manors, Lands, Tenements or Hereditaments shall come, as for and against them to whom the said Leases shall come respectively, as if our said Sovereign Lord the King's Majesty at the Time of the making of such Covenants, Conditions and Reservations, and other Agreements, were seised of an absolute and indefeizable Estate in Fee-simple, in the same Manors, Lands, Tenements or Hereditaments: Saving always to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, Executors, Administrators and Assigns, other than our said Sovereign Lord the King's Majesty, and his Heirs, and all and every Person and Persons that shall hereafter have, inherit or enjoy the said Dukedom of Cornwall, by force of any Act of Parliament, or other Limitation whatsoever; all such Rights, Titles, Estates, Customs, Interests, Terms, Claims and Demands whatsoever, of what Kind, Nature or Quality soever, of, in, to or out of the said Manors, Lands, Tenements or Hereditaments, or any of them, as they or any of them had, or ought to have had before the making of this Act, to all Intents and Purposes, and in as large and ample Manner and Form as if this Act had never been had or made; this Act or any Thing therein contained to the contrary notwithstanding.

C A P. III.

AN Act for the Ease in obtaining of Licences of Alienation, and in the Pleading of Alienations with Licence, or of Pardons of Alienations without Licence, in the Court of Exchequer, and elsewhere.

THAT the King's Tenures, which are a principal Flower of the Crown, may not be concealed, and yet that the Tenants of the King may not be unnecessarily charged; Be it enacted by

Licences of
Alienations
general.

by Authority of this present Parliament, That from and after the End of this present Session of Parliament, all Licences of Alienation to be had and obtained, other than upon raising of Uses by force of any Deed, from or out of the Estate of the Covenantor, shall be general to aliene without expressing any Uses.

Fees.

II. And be it further enacted, That from and after the End of this present Session of Parliament, there shall be paid to the Treasurer's Remembrancer in the Court of Exchequer, which now is, or at any Time hereafter shall be, or to any other Court or Place in what Office those Pleadings are or shall be, and to his or their Clerk, or any under them, for the drawing, pleading, entering, finishing and discharging of an Alienation with Licence, or of a Pardon of Alienation without Licence, and the Uses of the same, in such Cases only where the Subject by the Laws and Statutes of this Realm ought to plead, the Sum of Twenty six Shillings and Eight Pence, and no more: And if the Treasurer's Remembrancer for the Time being, or any other Officer by himself or his Clerk, or any other Person whatsoever, shall at any time or times, from and after the End of this present Session of Parliament, exact, take or receive any other or greater Fee, Reward, Gratuity or Sum of Money, directly or indirectly, upon any Colour or Pretence whatsoever, for the Causes aforesaid, or any of them, or for any Thing thereunto belonging, that the Offender therein, contrary to the true Meaning of this Act, shall forfeit and lose to the Party grieved the Sum of Five Shillings for every Penny which he shall receive beyond or above, or other than the Sum of Twenty six Shillings Eight Pence before mentioned; such Forfeitures to be recovered by the Party grieved by Information or Action of Debt, to be brought in the Courts of King's Bench or Common Pleas, at the Election of the Plaintiff; wherein no Privilege, Protection or Inhibition, or Injunction, Stay or Essoin, shall be allowed to the Defendant.

Penalty.

Offence.

Penalty.

III. And be it further enacted, That every Officer, Clerk or other Minister of the said Court of Exchequer, which at any Time after the End of this present Session of Parliament shall offend herein, and be thereof duly convicted, shall be from thenceforth utterly disabled to be or continue an Officer or Clerk, or to have any Employment in the said Court of Exchequer, or any other Court of Justice.

C A P. IV.

An Act for the further Restraint of Tipling in Inns, Alehouses and other Victualling-houses.

Strangers as well
as Inhabitants,
tipling in Inns,
&c.

2 Jac. 1. c. 9.

WHEREAS in the last Parliament it was enacted, That if any Person or Persons, whosoever his or their Habitation or Abiding be, should after be found upon View, or his own Confession, or Proof of one Witness, to be tipling in an Inn, Alehouse or Victualling-house; such Person or Persons should be thenceforth adjudged and construed to be within the Statutes of the First and Fourth Years of the late King's Majesty's Reiga, King James of famous Memory; the one intituled, *An Act to restrain the inordinate haunting or tipling in Inns, Alehouses and other Victualling-houses*; and the other intituled, *An*

‘ *An Act to repress the odious and loathsome Sin of Drunkenness*; 23 4 Jac. I. c. 5.
 ‘ if he or they had inhabited and dwelled in the City, Town
 ‘ Corporate, Market-Town, Village or Hamlet, where the Inn,
 ‘ Alehouse or Victualling-house was or should be, where he or
 ‘ they should be so found tipling, should incur the like Penalty,
 ‘ and the same to be in such sort levied and disposed, as in the
 ‘ said Act is expressed, concerning such as there inhabit; but no
 ‘ Punishment by any or either of the said Acts, or by any
 ‘ other Statute, is inflicted upon the Inn-keeper, Alehouse-
 ‘ keeper or Victualler, that permits or suffers such Person or Per-
 ‘ sons not there inhabiting, to tiple in his Inn, Alehouse or Vic-
 ‘ tualling-house:’ For Remedy whereof, Be it enacted, That
 every Inn-keeper, Alehouse-keeper and other Victualler, that at
 any time after the End of this Session of Parliament shall permit
 and suffer any Person or Persons not inhabiting in the City, Town
 Corporate, Market-Town, Village or Hamlet, where such Inn,
 Alehouse or Victualling-house is or shall be, to tiple in the said
 Inn, Alehouse or Victualling-house, contrary to the true Intent
 of any or either of the said former Statutes, the said Inn-keeper,
 Alehouse-keeper and Victualler so offending shall incur the same
 Penalty, and in such manner to be proved, levied and disposed,
 as in the former Statute of the First Year of his said late Ma-
 jesty’s Reign is appointed for permitting such to tiple as dwell in
 the same City, Town Corporate, Market-Town, Village or
 Hamlet.

Penalty.
 1 Jac. I. c. 5.

II. And be it further enacted, That the Keepers of Taverns,
 and such as do sell Wine in their Houses, and do also keep Inns
 or Victualling in their Houses, shall be taken to be within the said
 Two former Statutes, and also within this Statute.

C A P. V.

An Act for the Confirmation of Subsidies granted by the
 Clergy. EXP.

C A P. VI.

An Act for the Grant of two entire Subsidies granted by
 the Temporalty. EXP.

C A P. VII.

An Act that this Session of Parliament shall not determine
 by His Majesty’s Royal Assent to this and some other
 Acts. EXP.

THE King’s most excellent Majesty, taking into his gracious
 and princely Consideration the many and weighty Businesses,
 which in this present Parliament have been begun, most whereof
 yet depend unfinished; and considering the present Danger, by the
 Increase of the Sickness, and the Inconveniency of the Season,
 and other important Reasons that do necessarily require a speedy
 Adjournment of the Parliament at this time, before so many and
 great Affairs can be deliberately and maturely concluded and de-
 termined: And to take away all Doubt, whether his Majesty’s
 Royal

Royal Assent unto one or more Acts of Parliament will not be a Determination of this present Session :

The King's
Royal Assent to
this and other
Acts shall not
determine the
Session.

II. His Majesty is well pleased that it may be enacted ; and be it enacted by Authority of this present Parliament, That His Majesty at his good Pleasure may, before the Adjournment of this Parliament, either in Person, or by his Commission or Letters Patents, as to him shall seem good, give his Royal Assent unto such and so many Bills purporting Acts of Parliament, (having by the Assent of the Lords Spiritual and Temporal, and Commons, passed in this present Parliament), as to His most excellent Majesty shall be found expedient : And that notwithstanding such Assent to any such Bills, or to this present Act, this present Session of Parliament shall not thereby determine ; but the same to be adjourned, as to His Majesty shall be found requisite for the general Good and Welfare of this Kingdom.

Matters depend-
ing.

Acts to remain
in force.

III. And that all Bills and Matters whatsoever depending in the same Parliament, not fully determined or enacted before such Adjournment, shall remain and continue in the same State and Plight as they are or shall be the Day of the said Adjournment : And that all Statutes and Acts of Parliament, which are to have Continuance unto the End of this present Session, shall be of full Force after the said Adjournment, until this present Session be fully ended and determined : And if this Session shall determine by Dissolution of this present Parliament, then all the Acts aforesaid shall be continued until the End of the First Session of the next Parliament : And all Statutes and Acts of Parliament, which before the said Adjournment shall pass by His Majesty's Royal Assent, shall be put in Execution immediately after Forty Days after the said Adjournment, notwithstanding that by the Words or Letter of the said Acts, or any of them, they be limited to take effect, or be put in Execution, from or at any time after the End of this present Session.

Anno Regni CAROLI Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, tertio. (A.D. 1627.)

A ROLL of the Parliament holden at Westminster the Seventeenth Day of March, in the Third Year of the Reign of our most gracious Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c.

The Petition exhibited to His Majesty by the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, concerning divers Rights and Liberties of the Subjects, with the King's Majesty's Royal Answer thereunto in full Parliament.

To the King's most excellent Majesty.

HUMBLY shew unto our Sovereign Lord the King, the Lords Spiritual and Temporal, and Commons, in Parliament assembled, That whereas it is declared and enacted by a Statute made in the time of the Reign of King Edward the First, commonly called *Statutum de Tallagio non concedendo*, that no Tallage or Aid shall be laid or levied by the King or his Heirs in this Realm, without the good Will and Assent of the Archbishops, Bishops, Earls, Barons, Knights, Burgesses, and other the Freemen of the Commonalty of this Realm; and by the Authority of Parliament holden in the Five and twentieth Year of the Reign of King Edward the Third, it is declared and enacted, that from thenceforth no Person should be compelled to make any Loans to the King against his Will, because such Loans were against Reason and the Franchise of the Land; and by other Laws of this Realm it is provided, that none should be charged by any Charge or Imposition called a Benevolence, nor by such like Charge; by which the Statutes before mentioned, and other the good Laws and Statutes of this Realm, Your Subjects have inherited this Freedom, that they should not be compelled to contribute to any Tax, Tallage, Aid or other like Charge not set by Common Consent in Parliament.

II. Yet nevertheless, of late divers Commissions directed to sundry Commissioners in several Counties, with Instructions, have issued; by means whereof Your People have been in divers Places assembled, and required to lend certain Sums of Money unto Your Majesty, and many of them, upon their Refusal so to do, have had an Oath administered unto them not warrantable by the Laws or Statutes of this Realm; and have been constrained to become bound to make Appearance and give Attendance before Your Privy Council and in other Places; and others of them have been therefore imprisoned, confined, and sundry other Ways molested and disquieted; and divers other Charges have been laid and levied upon Your People in several

Counties by Lord Lieutenants, Deputy Lieutenants, Commissioners for Musters, Justices of Peace and others, by Command or Direction from Your Majesty, or Your Privy Council, against the Laws and Free Customs of the Realm.]

9 H. 3. M. C.
c. 29.

III. And where also by the Statute called *The Great Charter of the Liberties of England*, it is declared and enacted, That no Freeman may be taken or imprisoned, or be disseised of his Freehold or Liberties, or his Free Customs, or be outlawed or exiled, or in any manner destroyed, but by the lawful Judgment of his Peers, or by the Law of the Land.

28 E. 3. c. 3.

IV. And in the Eight and twentieth Year of the Reign of King *Edward* the Third, it was declared and enacted by Authority of Parliament, That no Man of what Estate or Condition that he be, should be put out of his Land or Tenements, nor taken, nor imprisoned, nor disinherited, nor put to Death, without being brought to answer by due Process of Law :

V. Nevertheless against the Tenor of the said Statutes, and other the good Laws and Statutes of Your Realm to that End provided, divers of Your Subjects have of late been imprisoned without any Cause shewed ; and when for their Deliverance they were brought before your Justices by Your Majesty's Writs of *Habeas Corpus*, there to undergo and receive as the Court should order, and their Keepers commanded to certify the Causes of their Detainer, no Cause was certified, but that they were detained by Your Majesty's special Command, signified by the Lords of Your Privy Council, and yet were returned back to several Prisons, without being charged with any Thing to which they might make Answer according to the Law.

VI. And whereas of late great Companies of Soldiers and Mariners have been dispersed into divers Counties of the Realm, and the Inhabitants against their Wills have been compelled to receive them into their Houses, and there to suffer them to sojourn, against the Laws and Customs of this Realm, and to the great Grievance and Vexation of the People :

25 E. 3. Stat. 5.
c. 4.

VII. And whereas also by Authority of Parliament, in the Five and twentieth Year of the Reign of King *Edward* the Third, it is declared and enacted, That no Man should be forejudged of Life or Limb against the Form of the Great Charter and the Law of the Land ; and by the said Great Charter and other the Laws and Statutes of this Your Realm, no Man ought to be adjudged to Death but by the Laws established in this Your Realm, either by the Customs of the same Realm, or by Acts of Parliament : And whereas no Offender of what Kind soever is exempted from the Proceedings to be used, and Punishments to be inflicted by the Laws and Statutes of this Your Realm ; Nevertheless of late times divers Commissions under Your Majesty's Great Seal have issued forth, by which certain Persons have been assigned and appointed Commissioners, with Power and Authority to proceed within the Land, according to the Justice of Martial Law, against such Soldiers or Mariners, or other dissolute Persons joining with them, as should commit any Murther, Robbery, Felony, Mutiny or other Outrage or Misdemeanour whatsoever, and by such summary Course and Order as is agreeable to Martial Law, and as is used in Armies in time of War, to proceed to the Trial and Condemnation

• demnation of such Offenders, and them to caule to be executed
• and put to Death according to the Law Martial :

• VIII. By Pretext whereof some of Your Majesty's Subjects
• have been by some of the said Commissioners put to Death,
• when and where, if by the Laws and Statutes of the Land they
• had deserved Death, by the same Laws and Statutes also they
• might, and by no other ought, to have been judged and
• executed :

• IX. And also sundry grievous Offenders, by colour thereof
• claiming an Exemption, have escaped the Punishments due to
• them by the Laws and Statutes of this Your Realm, by reason
• that divers of your Officers and Ministers of Justice have unjustly
• refused or forborn to proceed against such Offenders according
• to the same Laws and Statutes, upon Pretence that the said
• Offenders were punishable only by Martial Law, and by Authority
• of such Commissions as aforesaid : Which Commissions, and
• all other of like Nature, are wholly and directly contrary to the
• said Laws and Statutes of this Your Realm :

X. They do therefore humbly pray Your most excellent Ma- The Petition.
jesty, That no Man hereafter be compelled to make or yield any
Gift, Loan, Benevolence, Tax or such like Charge, without
Common Consent by Act of Parliament ; and that none be called
to make Answer, or take such Oath, or to give Attendance,
or be confined, or otherwise molested or disquieted concerning the
same, or for Refusal thereof ; and, that no Freeman, in any, such
Manner as is before mentioned, be imprisoned or detained ; and
that Your Majesty would be pleased to remove the said Soldiers
and Mariners ; and that Your People may not be so burthened in
time to come ; and that the aforesaid Commissions for proceeding
by Martial Law, may be revoked and annulled ; and that here-
after no Commissions of like Nature may issue forth to any Per-
son or Persons whatsoever to be executed as aforesaid, left by
colour of them any of Your Majesty's Subjects be destroyed, or
put to Death contrary to the Laws and Franchise of the Land.

XI. All which they most humbly pray of Your most excel-
lent Majesty as their Rights and Liberties according to the
Laws and Statutes of this Realm ; and that Your Majesty would
also vouchsafe to declare, that the Awards, Doings and Pro-
ceedings, to the Prejudice of Your People in any of the Premises
shall not be drawn hereafter into Consequence or Example ; and
that Your Majesty would be also graciously pleased, for the further
Comfort and Safety of Your People, to declare Your Royal Will
and Pleasure, that in the Things aforesaid all your Officers and Mi-
nisters shall serve You according to the Laws and Statutes of this
Realm, as they tender the Honour of Your Majesty, and the Pro-
sperity of this Kingdom. *Qua quidem Petitione lecta & plenius in-
tellecta per dictum Dominum Regem taliter est responsum in pleno Par-
lamento, viz. Soit droit fait come est desire.*

[See 47 G. 3. Sess. 1. c. 32, § 40. Ryb. Coll. Vol. 1. p. 574. And
Note : The above is numbered 1. on the Roll, being the same Roll
which contains the Acts of this Year ; and the Answer as above
stated is the whole that appears upon the Roll.]

C. A. P. I.

An Act for the further Reformation of sundry Abuses committed on the Lord's Day, commonly called Sunday.

[This Act is numbered 4. on the Roll.]

Carrier, &c. travelling.

FORASMUCH as the Lord's Day commonly called Sunday, is much broken and profaned by Carriers, Waggoners, Carters, Wain-men, Butchers and Drovers of Cattle, to the great Dishonour of God, and Reproach of Religion: Be it therefore enacted by the King's most excellent Majesty, and Lords Spiritual and Temporal, and by the Commons, in this present Parliament assembled, and by the Authority of the same, That no Carrier with any Horse or Horses, nor Waggon-men with any Waggon or Waggons, nor Carmen with any Cart or Carts, nor Wain-man with any Wain or Wains, nor Drovers with any Cattle, shall after Forty Days next after the End of this present Session of Parliament, by themselves, or any other, travel upon the said Day, upon Pain that every Person and Persons so offending shall lose and forfeit Twenty Shillings for every such Offence: Or if any Butcher, by himself or any other for him by his Privy or Consent, shall, after the End of the said Forty Days, kill or sell any Victual upon the said Day, that then every such Butcher shall forfeit and lose for every such Offence the Sum of Six Shillings and Eight Pence; the said Offences, and every of them being done in View of any Justice of Peace, Mayor or other Head Officer, of any City or Town Corporate within their Limits respectively, or being proved upon Oath by Two or more Witnesses, or by the Confession of the Party offending, before any such Justice, Mayor or Head Officer, within their several Limits respectively, wherein such Offence shall be committed: To which End every such Justice, Mayor or Head Officer, shall have Power by this Act to minister an Oath to such Witness or Witnesses: All which Sums or Penalties shall or may be levied by any Constable or Churchwarden, by Warrant from any such Justice or Justices of the Peace, Mayor or other Head Officer, as aforesaid, within their several Limits where such Offence shall be committed or done, by Distress and Sale of the Offender's Goods, rendering to the Party the Overplus, or shall be recovered by any Person or Persons that will sue for the same, by Bill, Plaint or Information, in any of His Majesty's Courts of Record, in any City or Town Corporate, before His Majesty's Justices of the Peace in their General Sessions of the Peace: All which Forfeitures shall be employed to and for the Use of the Poor of the Parishes where the said Offences shall be committed or done, saving only that it shall be lawful to and for any such Justice, Mayor or Head Officer, out of the said Forfeitures, to reward any such Person or Persons that shall inform or otherwise prosecute any Person or Persons offending against this present Act, according to their Discretions, so that such Reward exceed not the third Part of the Forfeiture: Provided that such Bill, Plaint or Information, shall be commenced, sued and prosecuted in the County, City or Town Corporate, where such Offence shall be committed and done, and not elsewhere; wherein no Essoin, Protection or Wager of Law shall be allowed to the Defendant: Provided

Penalty.
Butchers selling
or killing.

Penalty.

Distress.

Penalties how
applied, &c.

vided always, that it shall be lawful for any Constable or Churchwarden, that shall have any Suit or Action brought against them for any Distress by them or any of them to be taken by Force of this present Act, to plead the General Issue, and to give the special Matter in Evidence: Provided likewise, that no Person or Persons whatsoever shall be impeached by this Act, unless he be thereof questioned within Six Months after the Offence committed: Provided further, that this Act shall not in any Sort abridge or take away the Authority of the Courts Ecclesiastical. This Act to continue to the End of the First Session of the next Parliament.

General Issue.

Continuance.

[Enforced by 29 Car. 2. c. 7.]

C A P. II.

An Act to restrain the Passing or Sending of any to be Popishly-bred beyond the Seas.

FORASMUCH as divers ill affected Persons to the true Religion established within this Realm, have sent their Children into foreign Parts to be bred up in Popery, notwithstanding the Restraint thereof by the Statute made in the First Year of the Reign of our late Sovereign Lord King *James* of famous Memory; Be it enacted, That the said Statute shall be put in due Execution: And be it further enacted by the King's most excellent Majesty, and the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case any Person or Persons under the Obedience of the King, His Heirs and Successors, at any Time after the End of this Session of Parliament, shall pass or go, or shall convey or send, or cause to be sent or conveyed, any Child or other Person, out of any of the King's Dominions, unto any the Parts beyond the Seas, out of the King's Obedience, to the Intent and Purpose to enter into, or be relident or trained up in any Priory, Abbey, Nunnery, Popish University, College or School, or House of Jesuits, Priests, or in any private Popish Family, and shall be there by any Jesuits, Seminary Priests, Friar, Monk or other Popish Person, instructed, persuaded or strengthened in the Popish Religion, in any Sort to profess the same, or shall convey or send, or cause to be conveyed or sent, by the Hands or Means of any Person whatsoever, any Sum or Sums of Money, or other Thing, for or towards the Maintenance of any Child or other Person already gone or sent, or to go or to be sent, and trained and instructed as is aforesaid, or under the Name or Colour of any Charity, Benevolence or Alma, towards the Relief of any Priory, Abbey, Nunnery, College, School, or any Religious House whatsoever: Every Person so sending, conveying or causing to be sent and conveyed, as well any such Child or other Person, as any Sum or Sums of Money, or other Thing, and every Person passing or being sent beyond the Seas, being thereof lawfully convicted, in or upon any Information, Presentment or Indictment, as is aforesaid, shall be disabled from thenceforth to sue or use any Action, Bill, Plaint or Information, in Course of Law, or to prosecute any Suit in any Court of Equity, or to be Committee of any Ward, or Executor or Administrator to any Person,

1 Jac. 1. c. 4.

Going or sending
any other be-
yond Sea to be
trained up in
Popery, &c.

Penalty.

Person, or capable of any Legacy or Deed of Gift, or to bear any Office within the Realm; and shall lose and forfeit all his Goods and Chattels, and shall forfeit all his Lands, Tenements and Hereditaments, Rents, Annuities, Offices and Estates of Freehold, for and during his natural Life.

Proviso for
Converts.

II. Provided always, That no Person sent or conveyed as aforesaid, that shall within Six Months after his Return into this Realm conform himself unto the present Religion established in this Church of *England*, and receive the Sacrament of the Lord's Supper, according to the Statutes made concerning Conformity in other Cases required from Popish Recusants, shall incur any the Penalties aforesaid.

Offences how
determined.

III. And it is enacted, That all and every the Offences against this Statute may be enquired, heard and determined before the Justices of the King's Bench, or Justices of Assize or Gaol-delivery, or of *Oyer and Terminer*, of such Counties where the Offenders did last dwell or abide, or whence they departed out of this Kingdom, or where they were taken.

Returning and
conforming.

IV. Provided also, That if any Person or Child, so passing or sent, or now being beyond the Sea, shall after his Return into this Realm conform himself to this Religion established in the Church of *England*, and receive the Sacrament of the Lord his Supper, according to the Statutes made for or concerning Conformity in other Cases required from Popish Recusants, for and during such time as he or she shall so continue in such Conformity and Obedience, according to the true Intent and Meaning of the said Laws and Statutes, shall have his or her Lands restored to them again.

[See 31 G. 3. c. 32, § 4.]

C A P. III.

An Act for the better Suppressing of unlicenced Alehouse-keepers.

5 & 6 E. 6. c. 25.
§ 4

‘ WHEREAS by an Act made in the Fifth Year of the
Reign of King *Edward* the Sixth, of famous Memory,
intituled, *An Act for Keepers of Alehouses to be bound by Recogni-*
‘ *zance*, amongst other Things it is enacted, That if any Person
‘ or Persons, other than such as should be from thenceforth ad-
‘ mitted and allowed by the Justices mentioned in the said Act,
‘ should after the Day in the said Act limited, obstinately and
‘ upon his own Authority, take upon him or them to keep a com-
‘ mon Alehouse or Tippling-house, or should, contrary to the
‘ Commandment of the said Justices, or Two of them, use com-
‘ monly selling of Ale or Beer, that then said Justices of Peace,
‘ or Two of them, (whereof one to be of the *Quorum*), should,
‘ for every such Offence, commit every such Person or Persons so
‘ offending to the Common Gaol within the same Shire, City, Bo-
‘ rough, Town Corporate, Franchise or Liberty, there to re-
‘ main without Bail or Mainprize by the Space of Three Days :
‘ And before his or their Deliverance, the said Justices should
‘ take Recognizance of him or them so committed, with Two
‘ Sureties, that he or they should not keep any common Ale-
‘ house, Tippling-house, or use commonly selling of Ale or Beer,

as by the Discretion of the said Justices should seem convenient : And the said Justices should make Certificate of every such Recognizance and Offence at the next Quarter-Sessions that should be holden within the same Shire, City, Borough, Town Corporate, Franchise or Liberty where the same should be committed or done ; which Certificate should be a sufficient Conviction in Law of the same Offence : And the said Justices of Peace, upon the said Certificate made, should, in open Sessions, assess the Fine for every such Offence, at Twenty Shillings ; as by the said Act may appear : Which Law hath not wrought such Reformation as was intended, for that the said Fine of Twenty Shillings is seldom levied, and for that many of the said Offenders, by Reason of their Poverty, are neither able to pay the said Fine of Twenty Shillings, nor yet to bear their own Charges of conveying them to the Gaol ; and moreover do leave a great Charge of Wife and Children upon the Parishes wherein they live : In regard whereof, the Constables and other Officers are much discouraged in presenting them, and the Offenders become obstinate and incorrigible :

§ 1.

II. For Remedy whereof, be it enacted by the Authority of this present Parliament, That if any Person or Persons, after Forty Days next ensuing the End of this present Session of Parliament, shall, upon his own Authority, not being thereunto lawfully licenced, take upon him, her or them, to keep a common Alehouse or Tippling-house, or use commonly selling of Ale, Beer, Cyder or Perry, that then every such Person or Persons shall, for every such Offence, forfeit and lose the Sum of Twenty Shillings of Current Money of *England*, to the Use of the Poor of the Parish where such Offence shall be committed, the same Offence being viewed and seen by any Mayor, Bailiff or Justice of Peace, or other Head Officer, within their several Limits, or confessed by the Party so offending, or proved by the Oath of Two Witnesses, to be taken before any Mayor, Bailiff or other Head Officer, or any one or more Justice or Justices of the Peace, who by virtue of this Act shall be authorized to administer the said Oath to any Person or Persons that can or will justify the same, being within the Limits of their said Commission : The said Penalty to be levied by the Constables or Churchwardens of the Parish or Parishes where the said Offence shall be committed, who shall be accountable therefore to the Use of the Poor of the said Parish, by way of Distress to be taken and detained by Warrant or Precept from the said Mayor, Bailiff, Justice or Justices or other Head Officer by whom the said Offence shall be viewed, or before whom the same shall be confessed or proved as aforesaid : And for Default of Satisfaction within Three Days next ensuing, the said Distress to be by the said Constables or Churchwardens appraised and sold, and the Overplus to be delivered to the Party or Parties offending, and this to be only for the First Offence : And if such Offender or Offenders shall not have sufficient Goods and Chattels, whereby the said Twenty Shillings may be levied by way of Distress as aforesaid, or shall not pay the said Sum of Twenty Shillings within Six Days after such Conviction as aforesaid ; that then the said Mayor, Bailiff, Justice or Justices, or other Head Officer before whom the said Offender shall be convicted as aforesaid, shall commit all

Keeping Alehouse, &c. without Licence.

Penalty.

How applied.

Punishment.

and every the said Offender or Offenders to some Constable or Constables, or other inferior Officer or Officers of the City, Borough, Town, Parish or Hamlet, where the Offence shall be committed, or the Party apprehended, to be openly whipped for the said Offence, as the said Justice or Justices shall limit or appoint.

Officer neglecting to punish.

III. And be it enacted by the Authority aforesaid, That if any Constable or inferior Officer shall neglect to execute the said Precept or Warrant, or do refuse, or do not execute, by himself or some other to be by him appointed, upon the Offender, the Punishment limited by this Statute, that in that Case it shall and may be lawful for the said Mayor, Bailiff, Justice and Justices of Peace or other Head Officer, to commit the Constable or other inferior Officer so refusing, or not executing the said Punishment by himself or some other, to the Common Gaol of the said County, City or Town Corporate, there to remain without Bail or Mainprize, until the said Offender or Offenders shall be by the said Constable or Constables, or other inferior Officer so refusing, or not executing the said Punishment, or some by his or their Procurement, punished and whipped as is above limited and declared, or until he or they so neglecting or refusing shall have paid the Sum of Forty Shillings of lawful Money of *England*, unto the Use of the Poor of the Parish, for their said Contempt.

Penalty.

Second and Third Offence.

IV. And be it further enacted, That if the said Offender or Offenders, being an unlicensed Alehouse-keeper, shall offend in any of the Premises the second time, and be thereof lawfully convicted in Manner and Form aforesaid, that then the said Mayor, Bailiff, Justice or Justices of Peace or other Head Officer, shall commit him, her or them unto the House of Correction, there to remain for the Space of One Month, and be dealt withal as idle, lewd and disorderly Persons: And if such Person or Persons shall again offend, and shall be thereof convicted as aforesaid, that then the said Offender or Offenders for every such Offence shall be committed unto the said House of Correction as aforesaid, there to remain until by Order of the Justices in their General Sessions for the County, City, Borough or Franckise, he, she or they shall be delivered from thence.

Imprisonment.

Proviso.

§ 6 E. 6. c. 23.

V. Provided always, That such Offender or Offenders as shall be punished by virtue of this Act, shall not be punished again for the same Offence by the former Act made in the Fifth Year of King *Edward* the Sixth aforesaid mentioned; and that such Offender or Offenders as shall be punished by virtue of the before mentioned Act made in the Fifth Year of King *Edward* the Sixth, shall not be punished again for the same Offence by virtue of this present Act, nor any Thing therein contained.

Proviso for Fairs.

VI. Provided always, That in such Towns and Places where any Fair or Fairs shall be kept, that for the time only of the same Fair or Fairs it shall be lawful for every Person or Persons to use common selling of Ale or Beer in Booths or other Places there, for the Relief of the King's Subjects that shall repair unto the same, in such like Manner and Sort as hath been used and done in Times past; this Act or any Thing therein contained to the contrary notwithstanding.

[*Licensing Alehouses regulated*, 26 G. 2. c. 31.]

C A P. IV.

An Act for Continuance and Repeal of divers Statutes.

BE it enacted by the Authority of this present Parliament, That one Act made in the First Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act for the Preservation of Spawin and Fry of Fish*, except the Proviso in the said Act mentioned, that the same Act shall not extend to the Rivers of *Tweed*, nor Waters or Rivers whereof the Queen was answered of any yearly Rent or Profit, nor to Farmers, Owners or Occupiers of the Rivers of *Wyre*, *Ujke* and other Rivers in the said Proviso mentioned or contained. 1 Eliz. c. 17.

II. One Act made in the Thirteenth Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act touching Leases of Benefices, and other Ecclesiastical Livings with Cure*, together with all and every Explanations, Additions and Alterations thereof, or of any of them, or to any of them, made by several Statutes in the Fourteenth, Eighteenth and Three and fortieth Years of her said late Majesty's Reign, 23 Eliz. c. 20.
14 Eliz. c. 11.
18 Eliz. c. 11.
43 Eliz. c. 9.

III. And One Act made in the Seven and twentieth Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act for the Maintenance of the Pier and Cob of Lyme Regis, in the County of Dorset*, 27 Eliz. c. 19. Pr.

IV. And one Act made in the Third Year of the Reign of the late King *James*, intituled, *An Act for the avoiding of unnecessary Delays of Executions* be, by Authority of this Parliament, made perpetual, and shall from henceforth stand in full Force and Effect, and be put in due Execution for ever hereafter. [So much of this Act. as makes perpetual 13 Eliz. c. 20. together with 13 Eliz. c. 20. and the whole of § 2. of this Act, repealed 43 G. 3. c. 84. § 10.] 3 Jac. 1. c. 8. made perpetual.

“ 21 Jac. 1. c. 17. made perpetual. § 5. 21 H. 8. c. 12. and
“ that Part of 3 & 4 E. 6. c. 19. by which it is ordained and
“ enacted, That no Person or Persons after the time in the said Act
“ mentioned, shall sell again live Cattle in the said Act mentioned,
“ at or in the Market or Fair wherein he bought the same, during
“ the time of the same Fair or Market, under the Pains therein
“ contained: And that no Person being a Butcher, and using the
“ Craft or Mystery of Butchery, shall at any time after the said
“ Feast buy any fat Oxen, Steers, Runts, Kine, Heifers, Calves
“ or Sheep, and sell or cause to be sold the same again alive, upon
“ Pain or Forfeiture of every such Ox, Steer, Runt, Cow, Heifer,
“ Calves or Sheep, bargained or sold contrary to the Form of that
“ Act. 3 & 4 E. 6. c. 21. 21 Jac. 1. c. 22. So much of 5 Eliz.
“ c. 5. as is not repealed by any later Statute, nor doth concern
“ the eating of Flesh, or using of Fish upon the *Wednesday*, nor the
“ Transportation of Herring or other Sea-fish, nor Freedom of
“ Subsidy, Custom or Tonnage for the same, nor Transportation
“ of Corn, nor the prohibiting the bringing into this Realm any Cod
“ or Ling in Barrels or other Casks; together with all and every
“ other Additions, Explanations and Alterations made thereunto
“ or thereof, or of any Part thereof, by any Statute or Statutes made
“ sithence the making of the said last mentioned Act, and in force
“ the last Day of the Session of Parliament that was in the One and
“ twentieth Year of the Reign of the late King *James*. 5 Eliz.
“ c. 7.

“ c. 7. / 8 Eliz. c. 10. 13 Eliz. c. 21. And so much of 14 Eliz.
 “ c. 5. as concerneth the taxing, rating, levying and employing of
 “ Gaol-money: And so much of 18 Eliz. c. 3. as concerneth
 “ Bastards begotten out of lawful Matrimony; with this, that all
 “ Justices of the Peace within their several Limits and Precincts,
 “ and in their several Sessions, may do and execute all Things con-
 “ cerning that Part of the said Statute, that by Justices of the
 “ Peace in the several Counties are by the said Statute limited to
 “ be done. 18 Eliz. c. 20. 27 Eliz. c. 17. Pr. 27 Eliz. cc. 14.
 “ 24. 31 Eliz. c. 8. 35 Eliz. cc. 10, 11. And so much of
 “ 35 Eliz. c. 1. as hath not been since repealed by any other Sta-
 “ tute. 39 Eliz. c. 4. with the Provision annexed thereunto by
 “ 1 Jac. 1. c. 25. § 20. 39 Eliz. cc. 10, 14, 17. 43 Eliz. cc. 3, 6.
 “ 43 Eliz. c. 2. with the Addition thereunto made by 1 Jac. 1.
 “ c. 25. § 23. and with this further Addition, and be it enacted,
 “ That all Persons to whom the Overseers of the Poor shall,
 “ according to the said Act, bind any Children Apprentices,
 “ may take and receive, and keep them as Apprentices; and
 “ also that the Churchwardens and Overseers of the Poor men-
 “ tioned in the said Act made in the said Three and fortieth Year,
 “ may, by and with the Consent of Two or more Justices of the
 “ Peace, whereof one to be of the *Quorum*, within their respective
 “ Limits, wherein shall be more Justices than one, and where no
 “ more shall be than one, with the Assent of that one Justice of the
 “ Peace, set up, use and occupy any Trade, Mystery or Occupa-
 “ tion, only for the setting on Work and better Relief of the
 “ Poor of the Parish, Town or Place, of or within which they
 “ shall be Churchwardens or Overseers of the Poor; any former
 “ Statute to the contrary notwithstanding. 43 Eliz. cc. 5, 10.
 “ 1 Jac. 1. cc. 7, 8. 1 Jac. 1. c. 22. saving for such Part thereof
 “ as is repealed by 4 Jac. 1. c. 6. 1 Jac. 1. cc. 27, 18, 6, 19, 31.
 “ 3 Jac. 1. cc. 9, 10, 11, 13. 4 Jac. 1. c. 11. 7 Jac. 1. cc. 1.
 “ 4, 11, 12, 13, 18. and that one Part of 25 H. 8. c. 11.
 “ which was repealed by 3 & 4 E. 6. c. 7. and revived in the Par-
 “ liament holden in the One and twentieth Year of the Reign of
 “ the late King *James*. 1 M. Sess. 3. c. 5. 21 Jac. 1. cc. 6, 18.
 “ together with so much of 4 Jac. 1. c. 2. as was in force the last
 “ Day of the Session of Parliament holden in the said One and
 “ twentieth Year. 21 Jac. 1. cc. 20, 27. 1 Car. 1. c. 1. con-
 “ tinued until the End of the First Session of the next Par-
 “ liament. § 6—22.

Provido.

XXIII. Provided nevertheless, That so much of every of the said Acts, as by any new Act made in this Session of Parliament are or shall be explained, altered or repealed, shall, for so much thereof, from the End of this Session of Parliament, stand and be in force as by those other Acts shall be ordained.

**At what Prices
Corn may be
transported.**

XXIV. Provided also, and be it further enacted by the Authority of this present Parliament, That when the Prices of Corn or Grain, at the Times, Havens and Places, when and where the said Corn or Grain shall be bought, shipped or laden, exceed not the Rates hereafter following, viz. the Quarter of Wheat at Thirty and two Shillings the Quarter; the Quarter of Rye at Twenty Shillings; the Quarter of Peas and Beans at Sixteen Shillings; the Quarter of Barley or Malt at Sixteen Shillings of Current *English* Money; that then it shall be lawful for all and every Per-
son

son and Persons, being Subjects of the King's Majesty, His Heirs and Successors, and born within this Realm, to carry and transport of his own, and to buy to sell again in Markets and out of Markets, and to keep or sell, or carry and transport, any of the said Corns and Grains from the Places where they shall be of such Prices, unto any Parts beyond the Seas in Amity with His Majesty, as Merchandize, in Ships, Crayers or other Vessels, whereof any *English* born Subject or Subjects then shall be the Owner or Owners, or the same to carry and sell in other Places within this Realm or Dominions thereof; any Law, Statute or Usage to the contrary hereof notwithstanding: And that the King's Majesty, his Heirs and Successors, shall have and receive by the Customers and Officers of his Ports, for the Custom or Poundage of every Quarter of Wheat, to be transported by force of this Statute, out of this Realm, Two Shillings; of every Quarter of other Grain, Sixteen Pence: Which said several Sums so to be had and taken as Custom or Poundage, shall be in full Satisfaction of all manner of Custom or Poundage for the said Corn or Grain, by any Constitution, Order, Statute, Law or Custom heretofore made, used or taken for transporting any such manner of Corn or Grain, or made in this present Session of Parliament or hereafter to be made. [See 31 G. 3. c. 30.]

The Custom and Poundage of Corn.

XXV. Provided always, and be it enacted by the Authority of this present Parliament, That the King's Majesty, His Heirs and Successors, may at all times by his and their Writ of Proclamation, to be published generally in the whole Realm, or in any of the Counties of this Realm, where any Ports are, command that no Person shall by virtue of this Act transport or convey any manner of Grain out of His Highness Dominions generally, on out of any special Ports, to be in the said Proclamation particularly named, for such time as shall be therein limited and appointed: And it shall not be lawful for any Person to carry out any such Grain contrary to the Tenor of the said Proclamation, upon such Pains and Forfeitures as by the Laws and Statutes of this Realm are and have been provided and ordained in that Behalf; this Act or any Thing therein contained to the contrary notwithstanding. [See also 31 G. 3. c. 30. § 14.]

The King's Proclamation may restrain Transportation of Corn.

XXVI. Provided also, and be it enacted, That no Person or Persons shall incur any Penalty for want of Length, Breadth or Weight of *Welsh* Cottons, under the Price of Fifteen Pence the Yard, or Two Shillings the Goad, so as they be not mixt with Hair or other deceitful Stuff; nor for any others above that Price, except they shall be mixt as aforesaid, or shall shrink above the Rate of Half a Yard in Twelve Yards of Length, or weigh less than Fourteen Ounces the Yard, or hold not full Three Quarters of a Yard broad.

Welsh Cottons.

XXVII. And be it also enacted by the Authority aforesaid, That that Part of one Statute made in the Sixteenth Year of the Reign of the late King *Richard* the Second, by which it is ordained, that no manner of Spicery, after that it be brought into the Realm, shall be carried out of the same Realm by Aliens nor by Denizens, upon Pain of Forfeiture thereof; and one Statute made in the Sixteenth Year of the Reign of the late King *Richard* the Second, concerning Liveries; and one other Statute made in the Twentieth Year of the Reign of the late King *Richard* the

16 R. 2. c. 11.

16 R. 2. c. 4.

20 R. 2. c. 2.

Second,

- Second, by which it is ordained, That no Vadalets called Yeomen, nor other of lesser Estate than an Esquire, shall use or bear any Sign of Livery, called Livery of Company, of any Lord within the Realm; and one Statute made in the First Year of the Reign of the late King *Henry* the Fourth, concerning giving of Liveries; and one Statute made in the Seventh Year of the Reign of the late King *Henry* the Fourth, concerning giving of Liveries; and one other Statute made in the Thirteenth Year of the Reign of the late King *Henry* the Fourth, concerning giving of Liveries; and one Statute made in the Eighth Year of the Reign of the late King *Henry* the Sixth, concerning Liveries; and one Statute made in the Eighth Year of the Reign of the late King *Edward* the Fourth, concerning Liveries; and so much of one Statute made in the Third Year of the Reign of the late King *Henry* the Seventh, concerning the Star Chamber, as toucheth or concerneth the Punishment of those that shall give or take Liveries; and one other Statute made in the said Third Year, concerning taking of Liveries by the King's Officers and Farmers, be from henceforth repealed.
1. repealed.

" 7 Jac. 1. c. 20. continued until the End of the next Session of
" Parliament. § 28.

[*All Acts hereby continued are further continued, 16 Car. 1. c. 4.*]

C A P. V.

An Act for the establishing of the Estates of the Tenants of *Bromfield* and *Yale*, in the County of *Denbigh*, and of the Tenures, Rents and Services thereupon reserved (according to the late Composition made for the same with the King's most excellent Majesty, then Prince of *Wales*).

C A P. VI.

An Act for the Confirmation of the Subsidies granted by the Clergy. EXP.

[*This Act numbered 3. on the Roll.*]

C A P. VII.

An Act for the Grant of Five entire Subsidies granted by the Temporality. EXP.

[*This Act numbered 2. on the Roll.*]

Anno Regni CAROLI Regis Angliæ, Scotiæ, Franciæ:
& Hiberniæ, decimo sexto. (A.D. 1640.)

STATUTES made in the Parliament begun and holden at Westminster the Third Day of November in the Sixteenth Year of the Reign of our most gracious and excellent Sovereign Lord CHARLES the First, by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c. viz.

[Here the Roll is indorsed, First Part 16 Car. 1. and goes to cap. 4. inclusive.]

C A P. I.

An Act for the preventing of Inconveniencies happening by the long Intermission of Parliament.

WHEREAS by the Laws and Statutes of this Realm, the Parliament ought to be holden at least once every Year, for the Redress of Grievances, but the Appointment of the Time and Place for the holding thereof hath always belonged, as it ought, to His Majesty and His Royal Progenitors: And whereas it is by Experience found, that the not holding of Parliaments accordingly hath produced sundry and great Mischiefs and Inconveniencies to the King's Majesty, the Church and Commonwealth: For the Prevention of the like Mischiefs and Inconveniencies in Time to come;

II. Be it enacted by the King's most excellent Majesty, with the Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That the said Laws and Statutes be from henceforth duly kept and observed; and Your Majesty's loyal and obedient Subjects, in this present Parliament now assembled, do humbly pray, that it be enacted; and be it enacted accordingly, by the Authority of this present Parliament, That in case there be not a Parliament summoned by Writ under the Great Seal of England, and assembled and held before the Tenth Day of September which shall be in the Third Year next after the last Day of the last Meeting and Sitting in this present Parliament; the Beginning of the First Year to be accounted from the said last Day of the last Meeting and Sitting in Parliament, and so from time to time, and in all times hereafter, if there shall not be a Parliament assembled and held before the Tenth Day of September, which shall be in the Third Year next after the last Day of the last Meeting and Sitting in Parliament before that Time assembled and held, the Beginning of the First Year to be accounted from the said last Day of the last Meeting and Sitting in Parliament; that then in every such Case as aforesaid, the Parliament shall assemble and be held in the usual Place at Westminster, in such Manner, and by such Means only as is hereafter in this present Act declared and enacted, and not otherwise, on the Second Monday which

which shall be in the Month of *November* then next ensuing. And in case this present Parliament now assembled and held, or any other Parliament which shall at any time hereafter be assembled and held by Writ under the Great Seal of *England*; or in case any Parliament shall be assembled and held by Authority of this present Act, and such Parliaments or any of them shall be prorogued or adjourned, or continued by Prorogation or Adjournment, until the Tenth Day of *September* which shall be in the Third Year next after the last Day of the last Meeting and Sitting in Parliament, to be accounted as aforesaid, that then in every such Case every such Parliament so prorogued or adjourned, or so continued by Prorogation or Adjournment, as aforesaid, shall, from the said Tenth Day of *September*, be thenceforth clearly and absolutely dissolved; and the Lord Chancellor of *England*, the Lord Keeper of the Great Seal of *England*, and every Commissioner and Commissioners for the keeping of the Great Seal of *England* for the time being, shall, within Six Days after the said Tenth Day of *September*, in every such Third Year as aforesaid, in due Form of Law, and without any further Warrant or Direction from His Majesty, His Heirs or Successors, seal, issue forth and send abroad several and respective Writs to the several and respective Peers of this Realm, commanding every such Peer that he personally be at the Parliament to be held at *Westminster*, on the Second *Monday* which shall be in *November* next following the said Tenth Day of *September*, then and there to treat concerning the high and urgent Affairs concerning His Majesty, the State and Defence of the Kingdom and Church of *England*, and shall also seal, issue forth and send abroad several and respective Writs to the several and respective Sheriffs of the several and respective Counties, Cities and Boroughs of *England* and *Wales*, and to the Constable of the Castle of *Dover*, Lord Warden of the Cinque Ports, or his Lieutenant for the time being, and to the Mayor and Bailiffs of *Berwick* upon *Tweed*, and to all and every other Officers and Persons to whom Writs have used to be directed, for the electing of the Knights, Citizens, Barons and Burgeesses of and for the said Counties, Cities, Cinque Ports and Boroughs of *England* and *Wales* respectively, in the accustomed Form, to appear and serve in Parliament to be held at *Westminster* on the said Second *Monday* which shall be in *November* aforesaid, which said Peers, after the said Writs received, and which said Knights, Citizens, Barons and Burgeesses chosen by virtue of the said Writs, shall then and there appear and serve in Parliament accordingly. And the said Lord Chancellor, Lord Keeper, Commissioner and Commissioners aforesaid, shall respectively take a solemn Oath upon the Holy Evangelist for the due issuing of Writs according to the Tenour of this Act, viz. in *hec verba*:

‘YOU shall swear, That you shall truly and faithfully issue forth and send abroad all Writs of Summons to Parliament for both Houses, at such Time and in such Manner as is expressed and enjoined by an Act of Parliament, intituled, *An Act for the preventing of Inconveniencies happening by the long Intermission of Parliaments.*’

Which Oath is forthwith to be taken by the present Lord Keeper and to be administered by the Clerk of the Crown to every Lord Chancellor,

Chancellor, Lord Keeper, Commissioner and Commissioners afore-
said, and that none of the said Officers respectively shall henceforth
execute any the said Offices before they have taken the said Oath.
And if the said Lord Chancellor, Lord Keeper or any the said
Commissioners shall fail or forbear so to issue out the said Writs,
according to the true Meaning of this Act, then he or they re-
spectively shall, beside the incurring of the grievous Sin of Per-
jury, be disabled, and become, by the virtue of this Act, inca-
pable, *ipso facto*, to bear his and their said Offices respectively,
and be further liable to such Punishments as shall be inflicted on
him or them by the next or any other ensuing Parliament. And
in case the said Lord Chancellor, Lord Keeper, Commissioner or
Commissioners afore said, shall not issue out the said Writs as afore-
said, or in case that the Parliament do not assemble and be held at
the Time and Place before appointed, then the Parliament shall
assemble and be held in the usual Place at *Westminster*, in such
Manner, and by such Means only, as is hereafter in this present
Act declared and enacted, and not otherwise, on the Third *Mon-*
day which shall be in the Month of *January* then next ensuing.
And the Peers of this Realm shall by virtue of this Act be en-
abled, and are enjoined to meet in the old Palace at *Westminster*, in
the usual Place there, on the Third *Monday* in the said Month of
November, and they or any Twelve or more of them, then and
there assembled, shall on or before the last *Monday* of *November*
next following the Tenth Day of *September* afore said, by virtue of
this Act, without other Warrant, issue out Writs in the usual Form,
in the Name of the King's Majesty, His Heirs or Successors, at-
tested under the Hands and Seals of Twelve or more of the said
Peers, to the several and respective Sheriffs of the several and
respective Counties, Cities and Boroughs of *England* and *Wales*,
and to the Constable of the Castle of *Dover*, Lord Warden of the
Cinque Ports, or his Lieutenant for the time being, and to the
Mayor and Bailiffs of *Berwick upon Tweed*, and to all and every
other the said Officers and Persons to whom Writs have been
used to be directed, for the electing of the Knights, Citizens,
Barons and Burgeesses of and for the said Counties, Cities, Cinque
Ports and Boroughs, to be and appear at the Parliament at *West-*
minster afore said, to be held on the Third *Monday* in *January* then
next following; all and every which Writs the Clerks of the
Pettibag, and other Clerks to whom the Writing of the Writs for
Summons to the Parliament doth and shall belong, or whom the
said Lords, or Twelve or more of them, shall appoint, shall at the
Command of the said Lords so assembled, or of any Twelve or
more of them, make and prepare ready for the Signature of the
said Lords, or any Twelve or more of them, under Pain of the
Loss of their Places and Offices, and of such other Punishment
as in the next or any other ensuing Parliament shall be inflicted on
him or them. And it is enacted, That the said Writs so issued
shall be of same Power and Force, to all Intents and Purposes,
as the Writs or Summons to Parliament under the Great Seal of
England have ever been and ought to be. And all the Messen-
gers of the Chamber, or others who shall be appointed by the said
Lords, or any Twelve or more of them, are hereby required
faithfully and speedily to deliver the said Writs to every Person
and Persons, Sheriffs, Officers and others to whom the same shall
be

be directed; which if the said Messengers or any of them shall fail to perform, they shall forfeit their respective Places, and incur such other Pains and Punishments as by that or any other ensuing Parliament shall be imposed on them.

III. And it is also further enacted, That all and every the Peers of this Realm shall make their Appearance and shall assemble on the said Third *Monday* in *January*, in such Manner, and to such Effect, and with such Power, as if they had received every of them Writs of Summons to Parliament under the Great Seal of *England*, in the usual and accustomed Manner; and in case the said Lords, or Twelve or more of them, shall fail to issue forth such Writs, or that the said Writs do not come to the said several Counties, Cities, Cinque Ports and Boroughs, so that an Election be not thereupon made; and in case there be not a Parliament assembled and held before the Three and twentieth Day of the said Month of *January*, and so from time to time, and in all times hereafter, if there shall not be a Parliament assembled and held before the said Three and twentieth Day of *January*; then in every such Case as aforesaid, the Parliament shall assemble and be held in the usual Place at *Westminster*, in such Manner, and by such Means only as is hereafter in this present Act declared and enacted, and not otherwise, on the Second *Tuesday* which shall be in the Month of *March* next after the said Three and twentieth Day of *January*; at which Parliament the Peers of this Realm shall make their Appearance, and shall assemble at the Time and Place aforesaid, and shall each of them be liable unto such Pains and Censures for his and their not appearing and serving then and there in Parliament, as if he or they had been summoned by Writ under the Great Seal of *England*, and had not appeared and served, and to such further Pains and Censures, as by the Rest of the Peers in Parliament assembled they shall be adjudged unto.

IV. And for the better assembling of the Knights, Citizens, Barons and Burgeses, to the said Parliament, as aforesaid, it is further enacted, That the several and respective Sheriffs of their several and respective Counties, Cities and Boroughs of *England* and *Wales*, and the Chancellor, Masters and Scholars of both and every of the Universities, and the Mayor and Bailiffs of the Borough of *Berwick* upon *Tweed*, shall at the several Courts and Places to be held and appointed for their respective Counties, Universities, Cities and Boroughs, next after the said Three and twentieth Day of *January*, cause such Knight and Knights, Citizen and Citizens, Burgeses and Burgeses of their said Counties, Universities, Cities and Boroughs respectively, to be chosen by such Persons, and in such Manner, as if several and respective Writs of Summons to Parliament under the Great Seal of *England* had issued and been awarded; and in case any of the Sheriffs, or the Chancellor, Masters and Scholars of either of the Universities, or the Mayor and Bailiffs of *Berwick* respectively, do not before Ten of the Clock in the Forenoon of the same Day, wherein the several and respective Courts and Places shall be held or appointed, for their several and respective Counties, Universities, Cities and Boroughs as aforesaid, begin and proceed on according to the Meaning of this Law, in causing Elections to be made of such Knight and Knights, Citizen and Citizens, Burgeses and Burgeses, of their said Counties, Universities, Cities and Boroughs as aforesaid,

said, then the Freeholders of each County, and the Masters and Scholars of every of the Universities, and the Citizens, and others having Voices in such Election respectively, in each University, City and Borough, that shall be assembled at the said Courts or Places to be held or appointed as aforesaid, shall forthwith, without further Warrant or Direction, proceed to the Election of such Knight or Knights, Citizen or Citizens, Burgeses or Burgeses aforesaid, in such Manner as is usual in case of Writs of Summons issued and awarded.

V. And it is further enacted, That the several and respective Sheriffs of their several and respective Counties, and the Constables of the Castle of *Dover*, and Lord Warden of the Cinque Ports, or his Lieutenant for the time being, respectively, shall, after the said Three and twentieth Day of *January*, and before the Eighth Day of *February* then immediately next ensuing, award and send forth their Precepts to the several and respective Cities and Boroughs; within their several Counties, and likewise unto the said Cinque Ports respectively, commanding them respectively to make Choice of such Citizen and Citizens, Barons, Burgeses and Burgeses, to serve in the said Parliament, at the Time and Place aforesaid; which said Cities, Cinque Ports and Boroughs respectively, shall, before the last Day of the said Month of *February*, make Election of such Citizen and Citizens, Barons, Burgeses and Burgeses, as if Writs for summoning of a Parliament under the Great Seal of *England* had issued and been awarded; and in case no such Precept shall come unto the said Cities, Cinque Ports and Boroughs respectively, by the Time herein limited; or in case any Precept shall come, and no Election be made thereupon before the said last Day of *February*, that then the several Citizens, Burgeses and other Persons that ought to elect and send Citizens, Barons and Burgeses to the Parliament, shall, on the First *Tuesday* in *March* then next ensuing the said last Day of *February*, make Choice of such Citizen and Citizens, Barons, Burgeses and Burgeses, as if a Writ of Summons under the Great Seal of *England* had issued and been awarded, and Precepts thereupon issued, to such Cities, Cinque Ports and Boroughs; which Knights, Citizens, Barons and Burgeses so chosen, shall appear and serve in Parliament at the Time and Place aforesaid, and shall each of them be liable unto such Pains and Censures for his and their not appearing and serving then and there in Parliament, as if he or they had been elected and chosen by virtue of a Writ under the Great Seal of *England*, and shall be likewise subject unto such further Pains and Censures, as by the rest of the Knights, Citizens and Burgeses assembled in the Commons' House of Parliament, he or they shall be adjudged unto: And the Sheriffs and other Officers and Persons to whom it appertaineth, shall make Returns, and accept and receive the Returns of such Elections in like Manner as if Writs of Summons had issued, and been executed as hath been used and accustomed; and in Default of the Sheriffs and other Officers respectively in not accepting or making Return of such Elections, it shall and may be lawful to and for the several Freeholders and other Persons that have elected, to make Returns of the Knights, Citizens, Barons and Burgeses by them elected, which shall be as good and effectual, to all Intents and Purposes, as if the Sheriff or other Officers had received a Writ

of Summons for a Parliament, and had made such Returns; and that such Elections, Precepts and Returns shall be had and made at such Times, by such Persons, and in such Manner, as before in this Act is expressed and declared, according to the true Intent and Meaning of this Law; any Writ, Proclamation, Edict, Act, Restraint, Inhibition, Order or Warrant to the contrary in any wise notwithstanding. And in case any Person or Persons shall be so hardy to advise, frame, contrive, serve or put in Execution any such Writs, Proclamation, Edict, Act, Restraint, Inhibition, Order or Warrant thereupon, then he or they so offending shall incur and sustain the Pains, Penalties and Forfeitures limited, ordained and provided in and by the Statute of Provision and *Premunire* made in the Sixteenth Year of King *Richard* the Second, and shall from thenceforth be disabled during his Life to sue or implead any Person in any Action real or personal, or to make any Gift, Grant, Conveyance or other Disposition of any his Lands, Tenements, Hereditaments, Goods or Chattels, which he hath to his own Use, either by Act executed in his Life-time, or by his last Will, or otherwise, or to take any Gift, Conveyance or Legacy to his own Use; or to take any Benefit of any Gift, Conveyance or Legacy to his own Use: And if any Sheriff, Constable of the Castle of *Dover*, or Lord Warden of the Cinque Ports, shall not perform his Duty enjoined by this Act, then he shall lose and forfeit the Sum of One thousand Pounds; and every County, City, Cinque Port and Borough, that shall not make Election of their Knights, Citizens, Barons and Burgesses respectively, shall incur the Penalties following, (that is to say), every County the Sum of One thousand Pounds, and every City which is no County, Two hundred Pounds, and every Cinque Port and Borough the Sum of One hundred Pounds; all and every of which several Forfeitures, and all other Forfeitures in this Act mentioned, shall and may be recovered in any of the King's Courts of Record at *Westminster*, by and in the Name of the Lord Mayor of the City of *London* for the time being, without naming the Christian Name or Surname of the said Lord Mayor for the time being, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection, Wager of Law, Aid-Prayer, Privilege, Injunction or Order of Restraint shall be in any wise prayed, granted or allowed, nor any more than One Imparlance: And if any Person after Notice given, that the Action depending is grounded or prosecuted upon or by virtue of this Statute, shall cause or procure any such Action to be stayed or delayed before Judgment, by Colour or Means of any Order, Warrant, Power or Authority, save only of the Court wherein such Action as aforesaid shall be brought or depending, or after Judgment had upon such Action, shall cause or procure the Execution of or upon any such Judgment to be stayed or delayed by Colour or Means of any Order, Warrant, Power or Authority, save only by Writ of Error or Attaint, that then the said Persons so offending shall incur and sustain all and every the Pains, Penalties and Forfeitures limited, ordained and provided in and by the said Statute of Provision and *Premunire*, made in the Sixteenth Year of King *Richard* the Second: And if any Lord Mayor of *London* shall at any time hereafter commence or prefer any such Suit, Action or Information, and shall happen to die, or be removed out of his Office before

Premunire.

16 R. 2. c. 5.

before Recovery and Execution had, that yet no such Action, Suit or Information sued, commenced or preferred, shall by such displacing or Death be abated, discontinued or ended, but that it shall and may be lawful to and for the Lord Mayor of the City of *London* next succeeding in that Office and Place, to prosecute, pursue and follow all and every such Action, Bill, Plaint or Information for the Causes aforesaid so hanging and depending, in such Manner and Form, and to all Intents and Purposes, as that Lord Mayor might have done which first commenced or preferred the same; the Fifth Part of all and every the Forfeitures in this Act mentioned shall go and be to and for the Use and Behoof of the City of *London*, and the other Four Parts and Residue to be employed and disposed to and for such only Uses, Intents and Purposes as by the Knights, Citizens and Burgeses, in Parliament assembled, shall be declared, directed and appointed: Provided, that in case the Freeholders of any County, and Inhabitants, or other Persons having or claiming Power to make Election of any Knights, Citizens, Barons or Burgeses, shall proceed to making of Election of their Knights, Citizens, Barons and Burgeses, which Election shall afterwards fall out to be afterwards adjudged or declared void in Law by the House of Commons, by reason of Equality of Voices, or Misdemeanour of any Person whatsoever, then the said County, City, Cinque Port or Borough shall not incur the Penalties in this Law, so as an Election *de facto* be made.

VI. And be it further enacted, That no Parliament henceforth to be assembled shall be dissolved or prorogued within Fifty Days at the least after the Time appointed for the Meeting thereof, unless it be by Assent of His Majesty, His Heirs or Successors, and of both Houses in Parliament assembled; and that neither the House of Peers nor the House of Commons shall be adjourned within Fifty Days at least after the Meeting thereof, unless it be by the free Consent of every the said Houses respectively.

VII. And be it further enacted and declared by Authority of this present Parliament, That the Peers to be assembled at any Parliament, by virtue of this Act, shall and may, from time to time, at any time during such their Assembly in Parliament, choose and declare such Person to be Speaker for the said Peers as they shall think fit; and likewise that the said Knights, Citizens and Burgeses to be assembled at any Parliament, by virtue of this Act, shall and may from time to time, at any time during such their Assembly in Parliament, choose and declare one of themselves to be Speaker for the said Knights, Citizens and Burgeses of the House of Commons assembled in the said Parliament, as they shall think fit; which said Speakers, and every of them, as well for the said Peers, as for the said House of Commons respectively, shall, by virtue of this Act, be perfect and complete Speakers for the said Houses respectively, and shall have as full and large Power, Jurisdiction and Privileges, to all Intents and Purposes, as any Speaker or Speakers of either of the said Houses respectively heretofore have had or enjoyed.

VIII. And it is further enacted and declared, That all Parliaments hereafter to be assembled by Authority of this Act, and every Member thereof, shall have and enjoy all Rights, Privileges, Jurisdctions and Immunities, as any Parliament summoned by Writ under the Great Seal of *England*, or any Member thereof

might or ought to have; and all and every the Members that shall be elected and chosen to serve in any Parliament hereafter to be assembled by Authority of this Act, as aforesaid, shall assemble and meet in the Commons' House of Parliament, and shall enter into the same, and have Voices in such Parliament, before and without the taking of the several Oaths of Supremacy and Allegiance, or either of them; any Law or Statute to the contrary thereof in any wise notwithstanding.

IX. Provided always, That if the King's Majesty, His Heirs or Successors, shall at any time during any Parliament hereafter to be assembled by Authority of this Act, as aforesaid, award or direct any Commission or Commissions unto any Person or Persons whatsoever, thereby giving Power and Authority to him or them to take and receive the Oath of Supremacy and Allegiance of all or any the Members of the Commons' House of Parliament; and any the Members of that House, being duly required thereunto, shall refuse or neglect to take and pronounce the same, that from thenceforth such Person so refusing or neglecting, shall be deemed no Member of that House, nor shall have any Voice therein, and shall suffer such Pains and Penalties, as if he had presumed to sit in the same House without Election, Return or Authority. And it is likewise provided and enacted, that this Statute shall be publickly read yearly at every General Sessions of the Peace, to be held next after the *Epiphany*, and every Assizes then next ensuing, by the Clerk of the Peace, and Clerk of the Assizes for the time being respectively; and if they, or either of them, shall neglect or fail to do the same accordingly, then such Party so neglecting or failing, shall forfeit the Sum of One hundred Pounds. And it is lastly provided and enacted, that His Majesty's Royal Assent to this Bill shall not thereby determine this present Session of Parliament; and that all Statutes and Acts of Parliament, which are to have Continuance unto the End of this present Session, shall be of full Force after His Majesty's Assent, until this present Session be fully ended and determined; and if this present Session shall determine by Dissolution of this present Parliament, then all the Acts and Statutes aforesaid shall be continued until the End of the First Session of the next Parliament.

[*Repealed, 16 Car. 2. c. 2.*]

C A P. II.

An Act for Relief of His Majesty's Army, and the Northern Parts of the Kingdom. EXP.

C A P. III.

An Act for the reforming of some Things mistaken in the late Act made this present Parliament for the granting of Four Subsidies, intituled, *An Act for the Relief of His Majesty's Army, and the Northern Parts of this Kingdom*, and to make good the Acts of the Commissioners and other Officers by them authorized or appointed, and to be authorized or appointed. EXP.

16 Car. 1. c. 2.

C A P.

C A P. IV.

An Act for the further Relief of His Majesty's Army, and the Northern Parts of the Kingdom.

II. **A**ND be it enacted by the Authority aforesaid, That the passing of this present Act, or of any other Act or Acts, or His Majesty's Royal Assent to them or any of them in this present Session of Parliament, shall not be any Determination of the said Session; and that all Statutes and Acts of Parliament which have their Continuance, or were by an Act of Parliament made in the Third Year of the Reign of His Majesty that now is, intituled, *An Act for the Continuance and Repeal of divers Statutes*, continued until the End of the First Session of the then next Parliament, shall, by virtue of this Act, be adjudged ever since the Session of Parliament in the said Third Year, to have been of such Force and Effect as the same were the last Day of that Session, and from thenceforth until some other Act of Parliament be made touching the Continuance or Discontinuance of the said Statutes and Acts in the said Act of the Third Year of His Majesty's Reign continued as aforesaid.

Divers Statutes continued.

3 Car. 1. c. 4. continued.

[Here the Roll is indorsed, Second Part 16 Car. 1. and goes to Cap. 27. inclusive.]

C A P. V.

An Act for the better raising and levying of Mariners, Sailors and others, for the present guarding of the Seas, and necessary Defence of the Realm. EXP.

C A P. VI.

An Act concerning the Limitation and Abbreviation of Michaelmas Term.

WHEREAS the Term of *St. Michael*, commonly called *Michaelmas* Term, doth begin so soon after the Feast of *St. Michael*, that it is generally found to be very inconvenient to His Majesty's Subjects, both Nobles and others, as well for the keeping of the Quarter-Sessions next after the Feast of *St. Michael* the Archangel, and the keeping of their Leets, Law-days and Court-Barons, which they can by no means attend in regard of the necessity of their coming to the said Term so speedily after the Feast of *St. Michael* the Archangel, to appear upon Juries, and to follow their Causes and Suits in the Law; the same Time being the chief Time of all the Year for the sowing of Land with Winter Corn, and for the disposing and setting in order of all their Winter Husbandry and Business, and for the receiving and paying of Rents; and in many Parts of this Kingdom Harvest is seldom or never inned till Three Weeks after the said Feast:

II. Therefore the King's most excellent Majesty, out of the Princely Care that he hath of all his loving Subjects, having a special Care to the Increase and Continuance of their Wealth and good Estates, by the Assent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, ordaineth, enacteth and establisheth,

In Michaelmas
Term, Six com-
mon Days of
Return only.

That in the said *Michaelmas* Term there shall be Six common Days of Return only, and not above; that is to say, the First Day of the Return thereof shall be and be called, '*A die Sancti Michaelis in tres Septimanas*;' the Second Day of Return of the same Term shall be and be called, '*A die Sancti Michaelis in unum mensem*;' the Third Day of Return of the same Term shall be and be called, '*In Crastino Animarum*;' the Fourth Day of Return of the same Term shall be and be called, '*In Crastino Sancti Martini*;' the Fifth Day of Return of the same Term shall be and be called, '*In Octabis Sancti Martini*;' and the Sixth Day of Return of the said Term shall be and be called, '*A die Sancti Martini in quindecim dies*.'

Return Days to
be observed.

III. And that the same Days of Return shall be observed in all the High Courts of Record of our Sovereign Lord the King, his Heirs and Successors, hereafter to be holden at *Westminster*, or other Place or Places at the Assignment or Appointment of our Sovereign Lord the King, his Heirs and Successors; and that from and after the Feast of *St. Michael* the Archangel next coming there shall not be nor be called any Days of Return in '*Octabis Sancti Michaelis*,' nor '*A die Sancti Michaelis in quindecim dies*,' nor either of them; and that the said Term of *St. Michael* yearly for ever, from and after the said Feast of *St. Michael* the Archangel next coming, begin in and upon the said '*Tres septimanas Sancti Michaelis*,' whensoever it shall happen to fall (except it be on the Lord's Day, commonly called *Sunday*, and then on the Morrow next after), for the keeping of the Essoins, Profers, Returns and other Ceremonies heretofore used and kept, in like Manner and Form as hath been used to be done in the Day of the Return, commonly called '*Octabis Sancti Michaelis*;' and that the full Term of *St. Michael* shall yearly for ever, from and after the said Feast of *St. Michael* next coming, in all the aforesaid Courts of Record, begin and take his Commencement upon the '*Quarto die*' of the said '*Tres septimanas Sancti Michaelis*,' and not before, as formerly it hath been used upon the '*Quarto die*' of '*Octabis Sancti Michaelis*' except it be on the Lord's Day commonly called *Sunday*, and then on the Morrow next after.

Two Return
Days taken
away.

When Term
shall begin.

Days given on
Writs in real
Actions, &c.

IV. And be it further enacted by the Authority aforesaid, That if after the Feast of *St. Michael* the Archangel next coming, any Writ in any real Action, other than Writs of Entry for common Recoveries, and Writs of Right of Advowson, and Writs of Dower '*Unde nihil habet*,' hereafter mentioned, come in and be returnable in His Majesty's Court of Common Pleas, in the Day of Return of '*Tres septimanas Sancti Michaelis*,' then Day shall be given '*in Crastino Purificationis beate Marie*;' and if '*A die Sancti Michaelis in unum mensem*,' then in '*Octabis Purificationis beate Marie*;' if '*in Crastino Animarum*,' then '*in Quindena Pasche*;' if '*in Crastino Sancti Martini*,' then '*A die Pasche in tres septimanas*;' if '*in Octabis Sancti Martini*,' then '*A die Pasche in unum mensem*;' if '*in Quindena Sancti Martini*,' then '*in Quinq; septimanas Pasche*;' if '*in Octabis Sancti Hillarii*,' then '*in Crastino Ascensionis Domini*;' if '*in Quindena Sancti Hillarii*,' then '*in Crastino Sancte Trinitatis*;' if '*in Crastino Purificationis beate Marie*,' then '*in Octabis Sancti Trinitatis*;' if '*in Octabis Purificationis beate Marie*,' then '*in Quindena Sancte Trinitatis*;' if '*in Quindena Pasche*,' then '*A die Sancte Trinitatis in tres septimanas*;' if '*A die Pasche in*
tre:

tres septimanas; then '*A die Sancti Michaelis in tres septimanas;*' if '*A die Pasche in unum mensem;*' then '*A die Sancti Michaelis in unum mensem;*' if '*A die Pasche in quinque septimanas;*' then '*in Crastino Animarum;*' if '*in Crastino Ascensionis Domini;*' then '*in Crastino Sancti Martini;*' if '*in Crastino Sancte Trinitatis;*' then '*in Oñabis Sancti Martini;*' if '*in Oñabis Sancte Trinitatis;*' then '*in Quindena Sancti Martini;*' if '*in Quindena Sancte Trinitatis;*' then '*in Oñabis Sancti Hillarii;*' if '*A die Sancte Trinitatis in tres septimanas;*' then '*in Quindena Sancti Hillarii.*'

V. And for the more speedy Proceeding in Writs of Dower, and Writs of Entry for Common Recoveries, to be sued and prosecuted by Writs of Entry, or Writs of Right of Advowson, Be it further enacted by the Authority aforesaid, That if after the said Feast of *St. Michael* the Archangel next coming, any Writ of Dower '*Unde nihil habet;*' or any Writ of Entry whereupon a common Recovery is to be sued, or Writs of Right of Advowson, be returnable, '*A die Sancti Michaelis in tres septimanas;*' then a Day shall be given '*in Oñabis Sancti Martini;*' if '*A die Sancti Michaelis in unum mensem;*' then '*in Quindena Sancti Martini;*' if '*in Crastino Animarum;*' then '*in Oñabis Sancti Hillarii;*' if '*in Crastino Sancti Martini;*' then '*in Quindena Sancti Hillarii;*' if '*in Oñabis Sancti Martini;*' then '*in Crastino Purificationis beate Mariæ;*' if '*in Quindena Sancti Martini;*' then '*in Oñabis Purificationis beate Mariæ;*' if '*in Oñabis Sancti Hillarii;*' then '*in Quindena Pasche;*' if '*in Quindena Sancti Hillarii;*' then '*A die Pasche in tres septimanas;*' if '*in Crastino Purificationis beate Mariæ;*' then '*A die Pasche in unum mensem;*' if '*in Oñabis Purificationis beate Mariæ;*' then '*A die Pasche in quinque septimanas;*' if '*in Quindena Pasche;*' then '*in Crastino Ascensionis Domini;*' if '*A die Pasche in tres septimanas;*' then '*in Crastino Sancte Trinitatis;*' if '*in Mense Pasche;*' then '*in Oñabis Sancte Trinitatis;*' if '*in Quinque septimanas Pasche;*' then '*in Quindena Sancte Trinitatis;*' if '*in Crastino Ascensionis Domini;*' then '*A die Sancte Trinitatis in tres septimanas;*' if '*in Crastino Sancte Trinitatis;*' then '*A die Sancti Michaelis in tres septimanas;*' if '*in Oñabis Sancte Trinitatis;*' then '*A die Sancti Michaelis in unum mensem;*' if '*in Quindena Sancte Trinitatis;*' then '*in Crastino Animarum;*' if '*A die Sancte Trinitatis in tres septimanas;*' then '*in Crastino Sancti Martini.*'

Days given in
Writs of Dower,
&c.

VI. Provided nevertheless, and be it likewise enacted by the Authority aforesaid, That in all Writs of Dower '*Unde nihil habet;*' after Issue joined, it shall not be needful or requisite to have above Fifteen Days betwixt the *Teste* and Return of the *Venire facias;* or any other Process to be sued out for the Trial of the said Issue; but that the Writ of *Venire facias;* and other Process after Issue joined, until Judgment be given, having only Fifteen Days between the *Teste* and Return thereof, shall be good and effectual in Law, as is used in personal Actions; any Law, Statute or Usage to the contrary heretofore notwithstanding.

Fifteen Days
between *Teste*
and Return suf-
ficient.

VII. And be it further enacted by the Authority aforesaid, That from and after the Feast of *St. Michael* the Archangel now next coming, the said Day of Return, called *Crastino Ascensionis Domini;* shall be a good and perfect Return to all Intents and Purposes, as any other of the said Days of Return before mentioned is or hath been used, notwithstanding there be not Fifteen Days between the *Quarto die* of the said Return of *Crastino*

*Crastino Ascen-
sionis* a perfect
Return.

Effoin Days.

Ascensionis Domini and the Effoin Day of the Return of *Craftino Sancte Trinitatis*.

Day on Writs in personal Actions.

VIII. And be it further enacted, That all Writs and Process in personal Actions hereafter to be made out of any of His Majesty's said Courts at *Westminster*, and having Day from *Tres Michaelis* until *Craftino Animarum*, shall be good and effectual in Law, notwithstanding there be not Fifteen Days betwixt the *Quarto die* of the said *Tres Septimanas Sancti Michaelis* and the Days of Effoin of *Craftino Animarum*; any Law, Statute or Usage to the contrary heretofore notwithstanding.

Proviso for Writs returnable 1641.

IX. Provided always, and be it further enacted by the Authority aforesaid, That all Writs and Process to be made from after the Feast of *Easter* in the Year of our Lord God One thousand six hundred forty one, returnable in *Ostabis* or *Quindena Sancti Michaelis* now next ensuing, or having Days betwixt any of the said Returns, shall, by force of this Act, have Day unto *Tres septimanas Sancti Michaelis* next, and the Parties to the said Writs and Process shall then appear and plead, and proceed thereupon to all Intents and Purposes, as if the said Writs and Process had been made returnable *A die Sancti Michaelis in tres septimanas*. EXP.

Writs of Summons *ad Warrantizand.* upon Common Recoveries, &c.

X. And whereas before the making of this Act, all Writs of Summons *ad Warrantizand.* against the Vouchees, upon Common Recoveries had in Writs of Entry, and Writs of Right of Advowson, were made for Nine Returns inclusive; Now, for the more speedy perfecting of such Recoveries, Be it enacted by the Authority aforesaid, That from and after the said Feast of *St. Michael* the Archangel next, all and every such Writs of Summons *ad Warrantizand.* upon the Appearance of the Tenant to every such Writs of Entry, and Writ of Right of Advowson, shall and may be made and abridged to Five Returns, as Writs of Summons *ad Warrantizand.* in Writs of Dower *Unde nihil habet*, heretofore have been used and accustomed.

Common Writs and Process to keep said Returns.

XI. And it is further enacted by the Authority aforesaid, That all common Writs and Process, as well Personal as Mixt, which shall fortune to be returnable in the said *Michaelmas* Term, shall have and keep the said Returns of *A die Sancti Michaelis in tres septimanas*, *A die Sancti Michaelis in unum mensem*, *In Craftino Animarum*, *In Craftino Sancti Martini*, *In Ostabis Sancti Martini* and *A die Sancti Martini in quindecim dies*, or any of them.

Special Days.

XII. Provided always, and it is further enacted by the Authority aforesaid, That in such and like Cases and Process, as special Days have been used to be appointed and assigned and given, for the returning of Writs and Process, it shall be lawful to the Justices of every of the King's said Courts of Record for the Time being, in all the Process by them awarded, to assign and appoint special Days of Returns as by their Discretions shall be thought convenient.

Days in Assize of *Darrein Presentment*, &c.

XIII. Provided also, and be it further enacted by the Authority aforesaid, That the Days in Assize of *Darrein Presentment*, and in Plea of *Quare Impedit*, limited and appointed by the Statute of *Marlebridge*, and also the Days to be given in Attaint, limited in the Statute made in the Fifth Year of the Reign of the Noble King *Edward* the Third, and also in the Statute made in the Three and twentieth Year of the Reign of the late King *Henry* the Eighth, of worthy Memory, being not contrary to the Tenors of

of this Act, shall be holden firm and stable, and shall stand in their full Force and Effect.

[See 24 G. 2. c. 48.]

C A P. VII.

An Act to prevent Inconveniencies which may happen by the untimely adjourning, proroguing or dissolving of this present Parliament. EXP.

WHEREAS great Sums of Money must of Necessity be speedily advanced and provided for the Relief of His Majesty's Army and People in the Northern Parts of this Realm, and for preventing the imminent Danger this Kingdom is in, and for Supply of other His Majesty's present and urgent Occasions, which cannot be so timely effected as is requisite, without Credit for raising the said Monies, which Credit cannot be obtained until such Obstacles be first removed, as are occasioned by Fears, Jealousies and Apprehensions of divers His Majesty's loyal Subjects, that this present Parliament may be adjourned, prorogued or dissolved before Justice shall be duly executed upon Delinquents, publick Grievances redressed, a firm Peace between the Two Nations of *England* and *Scotland* concluded, and before sufficient Provision be made for the Repayment of the said Monies so to be raised; all which the Commons in this present Parliament assembled, having duly considered, do therefore humbly beseech Your most Excellent Majesty, That it may be declared and enacted:

II. And be it declared and enacted by the King our Sovereign Lord, with the Assent of the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That this present Parliament now assembled shall not be dissolved, unless it be by Act of Parliament to be passed for that Purpose, nor shall be at any time or times during the Continuance thereof, prorogued or adjourned unless it be by Act of Parliament, to be likewise passed for that Purpose; and that the House of Peers shall not at any time or times during this present Parliament, be adjourned unless it be by themselves or by their own Order; and in like Manner, that the House of Commons shall not at any time or times during this present Parliament be adjourned unless it be by themselves or by their own Order; and that all and every Thing and Things whatsoever, done or to be done for the Adjournment, proroguing or dissolving of this present Parliament contrary to this Act, shall be utterly void and of none effect.

Parliament not to be dissolved, prorogued or adjourned, but by an Act.

House of Peers.

Commons.

C A P. VIII.

A Subsidy granted to the King of Tonnage, Poundage and other Sums of Money payable upon Merchandize exported and imported. EXP.

C A P. IX.

An Act for the speedy Provision of Money for disbanding the Armies, and settling the Peace of the Two Kingdoms of *England* and *Scotland*. EXP.

C A P.

C A P. X.

An Act for the regulating of the Privy Council, and for taking away the Court commonly called the *Star Chamber*.

9 H. 3. M. C.
c. 29.

‘ WHEREAS by the Great Charter (many Times confirmed in Parliament) it is enacted, That no Freeman shall be taken or imprisoned, or disseised of his Freehold or Liberties, or Free Customs, or be outlawed or exiled or otherwise destroyed; and that the King will not pass upon him or condemn him but by lawful Judgment of his Peers, or by the Law of the Land:

5 E. 3. c. 9.

‘ And by another Statute made in the Fifth Year of the Reign of King *Edward* the Third, it is enacted, That no Man shall be attached by any Accusation; nor forejudged of Life or Limb, nor his Lands, Tenements, Goods nor Chattels seized into the King’s Hands, against the Form of the Great Charter and the

25 E. 3. Stat. 5.
c. 4.

‘ Law of the Land: And by another Statute made in the Five and twentieth Year of the Reign of the same King *Edward* the Third, it is accorded, assented and established, That none shall be taken by Petition or Suggestion made to the King or to his Council unless it be by Indictment or Presentment of good and lawful People of the same Neighbourhood where such Deeds be done, in due Manner or by Process made by Writ Original at the Common Law; and that none be put out of his Franchise or Freehold unless he be duly brought in to answer, and forejudged of the same by the Course of the Law, and if any Thing be done against the same it shall be redressed and holden

28 E. 3. c. 3.

‘ for none: And by another Statute made in the Eight and twentieth Year of the Reign of the same King *Edward* the Third, it is, amongst other Things, enacted, That no Man of what Estate or Condition soever he be, shall be put out of his Lands or Tenements, nor taken, nor imprisoned, nor disinherited without being brought in to answer by due Process of Law: And by

42 E. 3. c. 3.

‘ another Statute made in the Two and fortieth Year of the Reign of the said King *Edward* the Third, it is enacted, That no Man be put to answer, without Presentment before Justices, or Matter of Record, or by due Process and Writ Original, according to the old Law of the Land, and if any Thing be done to the contrary it shall be void in Law, and holden for Error:

36 E. 3. c. 15.

‘ And by another Statute made in the Six and thirtieth Year of the same King *Edward* the Third, it is, amongst other Things, enacted, That all Pleas which shall be pleaded in any Courts before any the King’s Justices, or in his other Places, or before any of his other Ministers, or in the Courts and Places of any other Lords within the Realm, shall be entred and enrolled in

3 H. 7. c. 1.

‘ *Latin*: And whereas, by the Statute made in the Third Year of King *Henry* the Seventh, Power is given to the Chancellor, the Lord Treasurer of *England* for the Time being, and the Keeper of the King’s Privy Seal, or Two of them, calling unto them a Bishop and a Temporal Lord of the King’s most Honourable Council, and the Two Chief Justices of the King’s Bench and Common Pleas for the Time being, or other Two Justices in their Absence, to proceed as in that Act is expressed, for the Punishment of some particular Offences therein mentioned; and

27 H. 8. c. 20.

‘ by the Statute made in the One and twentieth Year of King *Henry* the Eighth, the President of the Council is associated to

‘ join

‘ join with the Lord Chancellor and other Judges in the said Statute of the Third of *Henry* the Seventh mentioned; but the said Judges have not kept themselves to the Points limited by the said Statute, but have undertaken to punish where no Law doth warrant, and to make Decrees for Things having no such Authority, and to inflict heavier Punishments than by any Law is warranted.

‘ II. And forasmuch as all Matters examinable or determinable before the said Judges, or in the Court commonly called the Star Chamber, may have their proper Remedy and Redress, and their due Punishment and Correction by the Common Law of the Land, and in the ordinary Course of Justice elsewhere; and forasmuch as the Reasons and Motives inducing the Erection and Continuance of that Court do now cease; and the Proceedings, Censures and Decrees of that Court have by Experience been found to be an intolerable Burthen to the Subjects, and the Means to introduce an arbitrary Power and Government; and forasmuch as the Council Table hath of late Times assumed unto itself a Power to intermeddle in Civil Causes and Matters only of private Interest between Party and Party, and have adventured to determine of the Estates and Liberties of the Subject contrary to the Law of the Land and the Rights and Privileges of the Subject, by which great and manifold Mischiefs and Inconveniencies have arisen and happened, and much Uncertainty by Means of such Proceedings hath been conceived concerning Men’s Rights and Estates;’ for settling whereof, and preventing the like in time to come,

Star Chamber.

III. Be it ordained and enacted by the Authority of this present Parliament, That the said Court commonly called the Star Chamber, and all Jurisdiction, Power and Authority belonging unto, or exercised in the same Court, or by any the Judges, Officers or Ministers thereof, be, from the First Day of *August* in the Year of our Lord God One thousand six hundred forty and one, clearly and absolutely dissolved, taken away and determined; and that from the said First Day of *August* neither the Lord Chancellor, or Keeper of the Great Seal of *England*, the Lord Treasurer of *England*, the Keeper of the King’s Privy Seal, or President of the Council, nor any Bishop, Temporal Lord, Privy Counsellor or Judge, or Justice whatsoever, shall have any Power or Authority to hear, examine or determine any Matter or Thing whatsoever, in the said Court commonly called the Star Chamber, or to make, pronounce or deliver any Judgment, Sentence, Order or Decree, or to do any Judicial or Ministerial Act in the said Court; and that all and every Act and Acts of Parliament, and all and every Article, Clause and Sentence in them, and every of them, by which any Jurisdiction, Power or Authority is given, limited or appointed unto the said Court commonly called the Star Chamber, or unto all or any the Judges, Officers or Ministers thereof, or for any Proceedings to be had or made in the said Court, or for any Matter or Thing to be drawn into question, examined or determined there, shall, for so much as concerneth the said Court of Star Chamber, and the Power and Authority thereby given unto it, be, from the said First Day of *August*, repealed and absolutely revoked and made void,

Court of Star Chamber and Powers dissolved.

IV. And

Jurisdiction in
other Courts
repealed.

3 H. 7. c. 1.

21 H. 8. c. 20.

No Court, &c.
to have like
Jurisdiction.

The King, &c.
not to have Juris-
diction over any
Man's Estate.

Great Officers,
&c. First Of-
fence.

Second Offence.

IV. And be it likewise enacted, That the like Jurisdiction now used and exercised in the Court before the President and Council in the Marches of *Wales* (a); and also in the Court before the President and Council established in the Northern Parts; and also in the Court commonly called the Court of the Duchy of *Lancaster*, held before the Chancellor and Council of that Court; and also in the Court of Exchequer of the County Palatine of *Chester* held before the Chamberlain and Council of that Court; the like Jurisdiction being exercised there, shall from the said First Day of *August* One thousand six hundred forty and one, be also repealed and absolutely revoked and made void; any Law, Prescription, Custom or Usage, or the said Statute made in the Third Year of King *Henry* the Seventh, or the Statute made in the One and twentieth of *Henry* the Eighth, or any Act or Acts of Parliament heretofore had or made to the contrary thereof in any wise notwithstanding; and that from henceforth no Court, Council or Place of Judicature, shall be erected, ordained, constituted or appointed within this Realm of *England* or Dominion of *Wales*, which shall have, use or exercise the same or the like Jurisdiction as is or hath been used, practised or exercised in the said Court of Star Chamber. (a) [*Dissolved, &c.* 1 *W. & M. Sess.* 1. c. 27. § 2.]

V. Be it likewise declared and enacted by Authority of this present Parliament, That neither His Majesty, nor His Privy Council, have or ought to have any Jurisdiction, Power or Authority, by *English* Bill, Petition, Articles, Libel or any other arbitrary Way whatsoever, to examine or draw into question, determine or dispose of the Lands, Tenements, Hereditaments, Goods or Chattels of any the Subjects of this Kingdom; but that the same ought to be tried and determined in the ordinary Courts of Justice, and by the ordinary Course of the Law.

VI. And be it further provided and enacted, That if any Lord Chancellor, or Keeper of the Great Seal of *England*, Lord Treasurer, Keeper of the King's Privy Seal, President of the Council, Bishop, Temporal Lord, Privy Counsellor, Judge or Justice whatsoever, shall offend, or do any Thing contrary to the Purport, true Intent and Meaning of this Law, then he or they shall for such Offence forfeit the Sum of Five hundred Pounds of lawful Money of *England* unto any Party grieved, his Executors or Administrators, who shall really prosecute for the same, and first obtain Judgment thereupon, to be recorded in any Court of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, wherein no *Essoin*, Protection, Wager of Law, Aid-Prayer, Privilege, Injunction or Order of Restraint, shall be in any wise prayed, granted or allowed, nor any more than One Imparlance; and if any Person against whom any such Judgment or Recovery shall be had as aforesaid, shall, after such Judgment or Recovery, offend again in the same, then he or they for such Offence shall forfeit the Sum of One Thousand Pounds of lawful Money of *England* unto any Party grieved, his Executors or Administrators, who shall really prosecute for the same, and first obtain Judgment thereupon, to be recorded in any Court of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, in which no *Essoin*, Protection, Wager of Law, Aid-Prayer, Privilege,

Privilege, Injunction or Order of Restraint shall be in any wise prayed, granted or allowed, nor any more than One Imparlance; and if any Person against whom any such Second Judgment or Recovery shall be had as aforesaid, shall, after such Judgment or Recovery, offend again in the same Kind, and shall be thereof duly convicted by Indictment, Information or any other lawful Way or Means, that such Person so convicted shall be from thenceforth disabled, and become by virtue of this Act incapable *ipso facto*, to bear his and their said Office and Offices respectively, and shall be likewise disabled to make any Gift, Grant, Conveyance or other Disposition of any of his Lands, Tenements, Hereditaments, Goods or Chattels, or to take any Benefit of any Gift, Conveyance or Legacy to his own Use.

Third Offence.

Penalty.

VII. And every Person so offending shall likewise forfeit and lose unto the Party grieved, by any Thing done contrary to the true Intent and Meaning of this Law, his Treble Damages which he shall sustain and be put unto by Means or Occasion of any such Act or Thing done, the same to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action or Debt, Bill, Plaint or Information, wherein no Essoin, Protection, Wager of Law, Aid-Prayer, Privilege, Injunction or Order of Restraint, shall be in any wise prayed, granted or allowed, nor any more than One Imparlance.

Treble Damages.

VIII. And be it also provided and enacted, That if any Person shall hereafter be committed, restrained of his Liberty, or suffer Imprisonment, by the Order or Decree of any such Court of Star Chamber, or other Court aforesaid, now or at any Time hereafter, having or pretending to have the same or like Jurisdiction, Power or Authority to commit or imprison as aforesaid, or by the Command or Warrant of the King's Majesty, His Heirs or Successors, in their own Person, or by the Command or Warrant of the Council Board, or of any of the Lords or others of His Majesty's Privy Council; that in every such Case every Person so committed, restrained of his Liberty, or suffering Imprisonment, upon Demand or Motion made by his Council, or other employed by him for that Purpose, unto the Judges of the Court of the King's Bench or Common Pleas, in open Court, shall without Delay, upon any Pretence whatsoever, for the ordinary Fees usually paid for the same, have forthwith granted unto him a Writ of *Habeas Corpus*, to be directed generally unto all and every Sheriffs, Gaoler, Minister, Officer or other Persons in whose Custody the Party committed or restrained shall be, and the Sheriffs, Gaoler, Minister, Officer or other Person in whose Custody the Party so committed or restrained shall be, shall, at the Return of the said Writ, and according to the Command thereof, upon due and convenient Notice thereof given unto him, at the Charge of the Party who requireth or procureth such Writ, and upon Security by his own Bond given, to pay the Charge of carrying back the Prisoner, if he shall be remanded by the Court to which he shall be brought, as in like Cases hath been used, such Charges of bringing up and carrying back the Prisoner to be always ordered by the Court, if any Difference shall arise thereabout, bring or cause to be brought the Body of the said Party so committed or restrained, unto and before the Judges or Justices of the said Court from whence the said Writ shall issue, in open Court, and shall then likewise

Habeas Corpus.

Fees.

likewise

likewise certify the true Cause of such his Detainer or Imprisonment, and thereupon the Court, within Three Court Days after such Return made and delivered in open Court, shall proceed to examine and determine whether the Cause of such Commitment appearing upon the said Return be just and legal, or not, and shall thereupon do what to Justice shall appertain, either by delivering, bailing or remanding the Prisoner; and if any Thing shall be otherwise willfully done or omitted to be done by any Judge, Justice, Officer or other Person afore mentioned, contrary to the Direction and true Meaning hereof, that then such Person so offending shall forfeit to the Party grieved his Treble Damages, to be recovered by such Means, and in such Manner as is formerly in this Act limited and appointed for the like Penalty to be sued for and recovered.

Treble Damages.

To what Courts
Act shall extend.

IX. Provided always, and be it enacted, That this Act and the several Clauses therein contained shall be taken and expounded to extend only to the Court of Star Chamber, and to the said Courts holden before the President and Council in the Marches of *Wales*, and before the President and Council in the Northern Parts, and also to the Court commonly called the Court of the Duchy of *Lancaster*, holden before the Chancellor and Council of that Court, and also in the Court of Exchequer of the County Palatine of *Chester*, held before the Chamberlain and Council of that Court, and to all Courts of like Jurisdiction to be hereafter erected, ordained, constituted or appointed as aforesaid; and to the Warrants and Directions of the Council Board, and to the Commitments, Restraints and Imprisonments of any Person or Persons made, commanded or awarded by the King's Majesty, His Heirs or Successors, in their own Person, or by the Lords and others of the Privy Council, and every one of them.

Limitation of
Action.

X. And lastly provided, and be it enacted, That no Person or Persons shall be sued, impleaded, molested or troubled for any Offence against this present Act, unless the Party supposed to have so offended shall be sued or impleaded for the same within Two Years at the most after such Time wherein the said Offence shall be committed.

C A P. XI.

An Act for a Repeal of a Branch of a Statute *primo Elizabethæ*, concerning Commissioners for Causes Ecclesiastical.

WHEREAS in the Parliament holden in the First Year of the Reign of the late Queen *Elizabeth* late Queen of England, there was an Act made and established, intituled, *An Act restoring to the Crown the ancient Jurisdiction over the State Ecclesiastical and Spiritual, and abolishing all foreign Power repugnant to the same*; in which Act, amongst other Things, there is contained one Clause, Branch, Article or Sentence, whereby it was enacted to this Effect; namely, That the said late Queen's Highness, her Heirs and Successors, Kings or Queens of this Realm, should have full Power and Authority by virtue of that Act, by Letters Patents under the Great Seal of *England*, to assign, name and authorize when and as often as her Highness, her Heirs or Successors, should think meet and convenient, and for such and so long Time as should please her Highness, her Heirs or Successors, such Person or Persons being natural born

Subjects

1 Eliz. c. 1.

§ 12.

Subjects to her Highness, her Heirs or Successors, as her Majesty, her Heirs or Successors, should think meet to exercise, use, occupy and execute under her Highness, her Heirs and Successors, all manner of Jurisdictions, Privileges and Preheminence, in any wise touching or concerning any Spiritual or Ecclesiastical Jurisdiction within these her Realms of *England and Ireland*, or any other her Highness Dominions and Countries, and to visit, reform, redress, order, correct and amend all such Errors, Heresies, Schisms, Abuses, Offences, Contempts and Enormities whatsoever, which by any Manner of Spiritual or Ecclesiastical Power, Authority or Jurisdiction, can or may lawfully be reformed, ordered, redressed, corrected, restrained or amended, to the Pleasure of Almighty God, the Increase of Virtue, and the Conservation of the Peace and Unity of this Realm; and that such Person or Persons so to be named, assigned, authorized and appointed by her Highness, her Heirs or Successors, after the said Letters Patents to him or them made and delivered as aforesaid, should have full Power and Authority, by virtue of that Act, and of the said Letters Patents, under her Highness, her Heirs or Successors, to exercise, use and execute all the Premises according to the Tenor and Effect of the said Letters Patents; any Matter or Cause to the contrary in any wise notwithstanding.

II. And whereas by colour of some Words in the aforesaid Branch of the said Act, whereby Commissioners are authorized to execute their Commission according to the Tenor and Effect of the King's Letters Patents, and by Letters Patents grounded thereupon, the said Commissioners have, to the great and insufferable Wrong and Oppression of the King's Subjects, used to fine and imprison them, and to exercise other Authority not belonging to Ecclesiastical Jurisdiction restored by that Act, and divers other great Mischiefs and Inconveniencies have also ensued to the King's Subjects, by Occasion of the said Branch and Commissions issued thereupon, and the Executions thereof: Therefore for the repressing and preventing of the foresaid Abuses, Mischiefs and Inconveniencies in Time to come :

HighCommission Court.

III. Be it enacted by the King's most Excellent Majesty, and the Lords and Commons, in this present Parliament assembled, and by the Authority of the same, That the foresaid Branch, Clause, Article or Sentence contained in the said Act, and every Word, Matter and Thing contained in that Branch, Clause, Article or Sentence, shall from henceforth be repealed, annulled, revoked, annihilated and utterly made void for ever; any Thing in the said Act to the contrary in any wise notwithstanding.

1 Eliz. c. 1. § 18.
repealed.

IV. And be it also enacted by the Authority aforesaid, That no Archbishop, Bishop nor Vicar General, nor any Chancellor, Official nor Commissary of any Archbishop, Bishop or Vicar General, nor any Ordinary whatsoever, nor any other Spiritual or Ecclesiastical Judge, Officer or Minister of Justice, nor any other Person or Persons whatsoever, exercising Spiritual or Ecclesiastical Power, Authority or Jurisdiction, by any Grant, Licence or Commission of the King's Majesty, his Heirs or Successors, or by any Power or Authority derived from the King, his Heirs or Successors or otherwise, shall, from and after the First Day of *August* which shall be in the Year of our Lord God One thousand six

Power taken away from Archbishops, and other Ecclesiastical Persons, &c.

hundred forty and one, award, impose or inflict any Pain, Penalty, Fine, Amerciament, Imprisonment or other corporal Punishment upon any of the King's Subjects, for any Contempt, Misdemeanor, Crime, Offence, Matter or Thing whatsoever, belonging to Spiritual or Ecclesiastical Cognizance or Jurisdiction, or shall *ex officio*, or at the Instance or Promotion of any other Person whatsoever, urge, enforce, tender, give or minister unto any Churchwarden, Sideman or other Person whatsoever, any corporal Oath, whereby he or she shall or may be charged or obliged to make any Presentment of any Crime or Offence, or to confess or to accuse himself or herself of any Crime, Offence, Delinquency or Misdemeanor, or any Neglect, Matter or Thing, whereby or by Reason whereof he or she shall or may be liable or exposed to any Censure, Pain, Penalty or Punishment whatsoever, upon Pain and Penalty that every Person who shall offend contrary to this Statute, shall forfeit and pay Treble Damages to every Person thereby grieved, and the Sum of One hundred Pounds to him or them who shall first demand and sue for the same; which said Treble Damages and Sum of One hundred Pounds shall and may be demanded and recovered by Action of Debt, Bill or Plaint in any Court of Record, wherein no Privilege, Effoin, Protection or Wager of Law shall be admitted or allowed to the Defendant. And be it further enacted, That every Person who shall be once convicted of any Act or Offence prohibited by this Statute, shall for such Act or Offence be, from and after such Conviction, utterly disabled to be or continue in any Office or Employment in any Court of Justice whatsoever, or to exercise or execute any Power, Authority or Jurisdiction by force of any Commission or Letters Patents of the King, his Heirs or Successors.

Penalty.

Disability.

No new Court
to be erected
with like Power.

V. And be it further enacted, That from and after the said First Day of *August*, no new Court shall be erected, ordained or appointed within this Realm of *England* or Dominion of *Wales*, which shall or may have the like Power, Jurisdiction or Authority, as the said High Commission Court now hath or pretendeth to have; but that all and every such Letters Patents, Commissions and Grants, made or to be made by His Majesty, his Heirs or Successors, and all Powers and Authorities granted, or pretended or mentioned to be granted thereby, and all Acts, Sentences and Decrees to be made by virtue or colour thereof, shall be utterly void and of none Effect.

[*Repealed, except as to the High Commission Court, &c. 13 Car. 2. Stat. 2. c. 12. § 2.*]

C A P. XII.

A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported. EXP.

C A P. XIII.

An Act for the securing of such Monies as are or shall be due to the Inhabitants of the County of *York*, and the other adjoining Counties, wherein His Majesty's Army is or hath been billeted, for the Billet of the Soldiers of the said Army, as also to certain Officers of the said Army who do forbear Part of their Pay according to an Order in that Behalf made in the Commons House of Parliament this present Session, for such Part of their Pay as they shall so forbear. EXP.

C A P. XIV.

An Act for the declaring unlawful and void the late Proceedings touching Ship-Money, and for the vacating all Records and Proceſs concerning the ſame.

WHEREAS divers Writs of late Time iſſued under the Great Seal of *England*, commonly called *Ship-Writs*, for the charging of the Ports, Towns, Cities, Boroughs and Counties of this Realm reſpectively, to provide and furniſh certain Ships for His Maſteſty's Service: And whereas upon the Execution of the ſame Writs and Returns of *Certioraries* thereupon made, and the ſending the ſame by *Mittimus* into the Court of Exchequer, Proceſs hath been thence made againſt ſundry Perſons pretended to be charged by Way of Contribution, for the making up of certain Sums aſſeſſed for the providing of the ſaid Ships, and, in eſpecial, in *Eaſter* Term in the Thirteenth Year of the Reign of our Sovereign Lord the King that now is, a Writ of *Scire facias* was awarded out of the Court of Exchequer, to the then Sheriff of *Buckinghamſhire*, againſt *John Hampden*, Eſquire, to appear and ſhew Cauſe, why he ſhould not be charged with a certain Sum ſo aſſeſſed upon him; upon whole Appearance and Demurrer to the Proceedings therein, the Barons of the Exchequer adjourned the ſame Caſe into the Exchequer Chamber, where it was ſolemnly argued divers Days, and at length it was there agreed by the greater Part of all the Juſtices of the Courts of King's Bench and Common Pleas, and of the Barons of the Exchequer, there aſſembled, That the ſaid *John Hampden* ſhould be charged with the ſaid Sum ſo as aforeſaid aſſeſſed on him; the main Grounds and Reaſons of the ſaid Juſtices and Barons which ſo agree, being, that when the Good and Safety of the Kingdom in general is concerned, and the whole Kingdom in Danger, the King might, by Writ under the Great Seal of *England*, command all the Subjects of this his Kingdom, at their Charge, to provide and furniſh ſuch Number of Ships with Men, Victuals and Munition, and for ſuch Time as the King ſhould think fit, for the Defence and Safeguard of the Kingdom from ſuch Danger and Peril; and that by Law the King might compel the doing thereof, in caſe of Refuſal or Refractorineſs; and that the King is the ſole Judge, both of the Danger, and when and how the ſame is to be prevented and avoided; according to which Grounds and Reaſons, all the Juſtices of the ſaid Courts of King's Bench and Common Pleas, and the ſaid Barons of the Exchequer,

Vol. IV. 3 G

Proceedings
touching Ship
Money againſt
John Hampden,
Eſq.

having

Extrajudicial
Opinion.

Judgment.

Ship-Money,
and Proceedings
thereupon, con-
trary to Law.

3 Car. 1.
Petition of Right.

‘ having been formerly consulted with by His Majesty’s Command,
‘ had set their Hands to an extrajudicial Opinion, expressed to the
‘ same Purpose ; which Opinion, with their Names thereunto, was
‘ also by His Majesty’s Command inrolled in the Courts of Chan-
‘ cery, King’s Bench, Common Pleas and Exchequer, and like-
‘ wise entred among the Remembrances of the Court of Star
‘ Chamber, and, according to the said Agreement of the said
‘ Justices and Barons, Judgment was given by the Barons of the
‘ Exchequer, that the said *John Hampden* should be charged with
‘ the said Sum so assessed on him : And whereas some other Actions
‘ and Procefs depend, and have depended, in the said Court of Ex-
‘ chequer, and in some other Courts against other Persons, for the
‘ like Kind of Charge, grounded upon the said Writs, commonly
‘ called *Ship-Writs*, all which Writs and Proceedings as aforesaid,
‘ were utterly against the Law of the Land :’

II. Be it therefore declared and enacted by the King’s most
excellent Majesty, and the Lords and Commons, in this present
Parliament assembled, and by the Authority of the same, That the
said Charge imposed upon the Subject, for the providing and fur-
nishing of Ships, commonly called Ship-Money, and the said
extrajudicial Opinion of the said Justices and Barons, and the said
Writs, and every of them, and the said Agreement or Opinion of
the greater Part of the said Justices and Barons, and the said Judg-
ment given against the said *John Hampden*, were and are contrary
to and against the Laws and Statutes of this Realm, the Right of
Property, the Liberty of the Subjects, former Resolutions in Par-
liament, and the Petition of Right made in the Third Year of
the Reign of His Majesty that now is.

III. And it is further declared and enacted by the Authority
aforesaid, That all and every the Particulars prayed or desired in
the said Petition of Right, shall from henceforth be put in Execu-
tion accordingly, and shall be firmly and strictly holden and ob-
served, as in the same Petition they are prayed and expressed ;
and that all and every the Records and Remembrances of all and
every the Judgment, Inrolments, Entry and Proceedings as afore-
said, and all and every the Proceedings whatsoever, upon or by
Pretext or Colour of any of the said Writs, commonly called *Ship-
Writs*, and all and every the Dependants on any of them, shall be
deemed and adjudged to all Intents, Construtions and Purposes,
to be utterly void and disannulled ; and that all and every the said
Judgment, Inrolments, Entries, Proceedings and Dependants of
what Kind soever, shall be vacated and cancelled in such Manner
and Form as Records use to be that are vacated.

C A P. XV.

An Act against divers Incroachments and Oppressions in the
Stannary Courts.

Ed. 1. Charter.

30 Ed. 3.

‘ WHEREAS King *Edward* the First, of famous Memory,
‘ did for the Amendment of the Stannaries in the County
‘ of *Devon*, grant divers Franchises and Liberties to the Tinners
‘ there : And whereas in the Parliament in the Fiftieth Year of
‘ King *Edward* the Third, upon the Petition of the Commons of
‘ the County of *Devon*, certain Branches and Articles of the said
‘ Charter were explained in Manner following, that is to say,
‘ Whereas

‘Whereas one Article of the said Charter is in these Words following, viz. ‘*Sciatis nos ad emendationem Stannariarum nostrarum in Com. Devon. ad tranquillitatem & utilitatem Stannatorum nostrarum predictorum earundem, Concessisse pro nobis & heredibus nostris, Quod omnes Stannatores predicti operantes in Stannariis illis que sunt Dominia nostra, dum operantur in eisdem Stannariis, liberi sint & quieti de placitis natorum, & de omnibus placitis & querelis Curiam nostram & heredum nostrarum qualitercunque tangen. Ita quod non respondeant coram aliquibus Justiciariis vel Ministris nostris seu heredum nostrarum de aliquo placito seu querela infra predictas Stannarias emergenti nisi coram Custode nostro Stannariarum nostrarum predictarum, qui pro tempore fuerit (excepti placitis terræ, vite & membrorum) nec recedant ab operationibus suis per summonitionem aliquus Ministrorum nostrarum, seu heredum nostrarum, nisi per summonitionem communem dicti Custodis nostri; & quod quieti sint de omnibus tallagis, Theolon. stallag. auxiliis & aliis custumis quibuscunque in villis, portibus, feriis, & mercatis infra Com. predictam de bonis suis propriis, &c.*’ Whereupon the said Commons prayed a Declaration, as followeth, ‘*Requeste, Sur quoi plese declarer si auteurs Persones que les Esteynors overantz in les Esteynerys averont & enjoyront la franchise grante per la dite Chartre du Roy desicome la dite Chartre voet. Quod omnes Stannatores predicti operantes in Stannariis illis, sint liberi, &c. Et autres Persones que les overours cestassavoir leurs Maistres que les louent & leurs servantz & autres clayment mesme la Franchise. Et auxint plese declarer si les dites overours y averont les Franchises que in autres temps a quant ils averont in mesme Lestinery desicome la Chartre voet; Dum operantur in eisdem Stannariis sint liberi, &c.*’ Upon which Request Answer was made as followeth: ‘*Respons. En droit de les dites paroles, operantes in Stannariis illis, & dum operantur in eisdem Stannariis, Soient clerement entenduz de operariis laborantibus duntaxat in Stannariis illis sine fraude & dolo, & non de aliis, nec alibi laborantibus.*’ And whereas the said Commons prayed a farther Declaration, as followeth: ‘*Requeste, Item soit declarez, si le Gardein de Lestinery puisse tenir plee inter Esteynor & Forreyn de querelle sourdante ailleurs que en les lieux ou ils sont overantz desicome la Chartre voet. Quod Custos noster predictus, vel ejus Locum-tenens teneat omnia placita inter Stannatores predictos emergenti. & etiam inter ipsos & alios forinsecos de omnibus transgressionibus, querelis, & contradiis factis in locis in quibus operantur infra Stannarias predictas similiter emergenti. &c. Quare il tient plee des tieux querelles sourdantz in chescune parte deins le dit Counte.*’ Upon which, Answer was in these Words, viz. ‘*Resp. Et en droit de ceste Article, se ent extendre la Jurisdiction clerement solonc les paroles del dit Chartre, Cestassavoir; in locis ubi iidem operarii operantur, & nemy ailleurs ne en autre manere.*’ Which Charter so declared, was repeated again; and in the Eighth Year of the Reign of King § R. 2.
Richard the Second, commanded to be put in Execution:

‘II. And whereas the said King Edward the First made the like Charter to the Tanners in the County of Cornwall, which Charter was in the foresaid Parliament, upon the Request of the Commons of the County of Cornwall, declared in the same Manner and Words:

‘III. And whereas the Tanners of the Counties of Devon and Cornwall have, by virtue of the said Charters, enjoyed divers and Charter to Tanners in Cornwall

Abuse of Liberties.

great Liberties, and are quit from all Tolls, Tallages, Aids and other Customs in the Villis, Ports, Fairs and Markets within the said Counties respectively: Which great Liberties do of Right belong to the working Tinner, working without Fraud or Deceit in the Stannaries aforesaid, and not to any other nor elsewhere working, and were granted to the said Tanners for their Encouragement in their Works: And whereas of late Years sundry Inhabitants within the said Counties, and others, to entitle themselves to the said Liberties, have by Fraud and Covin, for small or no Considerations, bought and acquired, and do buy and acquire to themselves decayed Tin-works, and small and inconsiderable Parts in the same and other Tin-works; which Abuses are done principally to enable the said false and fained Tanners to vex and sue their Neighbours in the Stannary Courts, where for the most part the Defendant is unjustly debarred his Costs, although the Cause be adjudged with him; and the Jurisdiction of the said Stannaries hath, contrary to antient Right and Usage, and the said Charters, been endeavoured to be extended out of the Places where the Tanners do work, through the whole Counties of *Devon* and *Cornwall* respectively, which is no Way for the Benefit of His Majesty, but for the singular Lucre of some private Persons: And whereas by the said Abuses great Inconveniencies do follow, (that is to say) the Inhabitants of the said Counties are miserably vexed, oppressed and imprisoned, His Majesty defrauded of his Aids and Customs, and the Lords and Owners of Fairs, Markets and other Franchises, of their Tolls and Duties, and the Government of the Country exceedingly confounded and eluded; the said false and feigned Tanners claiming, when they list, to be Tanners, and, when they list, to be Foreigners; besides, that if timely Provision be not made, the certain Decay of His Majesty's Profit in the Tinworks will ensue, for that the same, being divided into so many Hands and Parts, cannot conveniently be set on work, nor Contribution raised for the working of the same:

Former Declarations confirmed.

In locis ubi operantur, how expounded.
How Tanners sued.

IV. Be it therefore enacted by His Majesty, and the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, That the said Declarations be henceforth held and duly observed; with this, That the Words of the said Charters and Declarations; *In locis ubi operantur*, be expounded of the Vill, Tithing and Hamlet where some Tin-work in Work is situate, and not elsewhere, and no longer than the same Tin-work is or shall be in Working: And if any Person or Persons that shall be sued in the said Stannaries, shall swear or tender his or their Oath in the said Court where he or they shall be sued, that he or they are not, nor is, nor at time of the Suit commenced was not, nor were a Tinner or Tanners, then such Defendant or Defendants shall be forthwith discharged of such Suit, unless that the Plaintiff or Plaintiffs do forthwith make Oath that the said Plaintiff or Plaintiffs is or are true and working Tanners, without Fraud or Deceit, and that the Cause of his or their Suit arose within the said Stannaries, or concerneth Tin or Tin-works: And if any Person be not *revera*, and without Fraud, a working and labouring Tinner, in or about some Tin-work, set on work within one Half-Year next before his Suit, shall sue, prosecute or implead in any the said Courts, or before the Warden, Vice-warden or Steward of the said

Others suing.

Stannaries, any Person or Persons, that is or are not a Tinner or Tinners at the time of such Suit commenced, then the Defendant and Defendants in every such case shall have his and their Action at the Common Law, against such Person suing or prosecuting, wherein he shall recover Ten Pounds and his Damages and Costs of Suit: Provided, That such Action be brought within Two Years next after the Action or Suit brought in the said Stannary Courts, or before the said Warden, Vice-warden or Steward.

Limitation of
Action.

V. And be it declared and enacted, That in all Cases where the Plaintiff or Defendant, Plaintiffs or Defendants, are to have Costs by the Laws or Statutes of this Realm, there also the said Plaintiffs and Defendants shall have the like Costs in the Stannary Courts: And in regard that the said Charters were granted for the Ease and Advantage of the Tinnerns, and not for their Disadvantage or Oppression, and yet divers of them, who for special Reasons have desired to sue at the Common Law, have been restrained;

Costs.

VI. Be it declared and enacted, That it shall be lawful to and for the said Tinnerns, if they think fit, to sue any Foreigners at the Common Law; the said Charter or any Usage to the contrary notwithstanding.

Action at Com-
mon Law.

VII. And whereas the Bailiffs of the said Stannary Courts are very numerous, and are Persons of small or no Credit, and yet upon their Return that any Person is become Surety for any other upon Arrest by Process out of the said Courts, such Person who sometimes knows nothing of the Matter, is by false Returns of the said Bailiffs, made liable to the Debt or Demand; which Bailiffs, by reason of their Poverty, are often not responsible, and so the Party without Remedy;

VIII. Be it enacted, That no Person or Persons be charged or troubled as Surety by any Return of any Bailiff or Bailiffs of the said Stannaries, unless that the Person or Persons returned Surety or Sureties shall, in the Presence of Two Witnesses, subscribe or sign a Note in Writing, that such Person or Persons is or are become Surety or Sureties; which Note shall mention the Names of the Plaintiffs and Defendants in the Suit, and the Sum or Damages in Demand, and the Nature of the Action, and shall be signed or subscribed by the said Witnesses, and returned and filed in the Court out of which such Process shall issue, and no Bailiff or Bailiffs of the said Stannaries shall be admitted as Witnesses to any such Note.

Sureties sued.

IX. And whereas in the said Stannaries it is used, that if the Bailiffs return any Person arrested, that if such Person make Default at the Day, he shall be condemned, and Execution is suddenly awarded, whereas often, the Party was not arrested;

X. Be it further enacted, That no Defendant shall be condemned upon such Return for not appearing, unless also a Note under the Hand or Sign of the Party arrested, and subscribed by Two such Witnesses as aforesaid, be returned into the said Court at or before the Day of Appearance; and the said Bailiff or Bailiffs shall take but Four pence for every such Note as aforesaid; and it is provided, that none shall be bailed upon Arrest there, till he give such Note.

Defendant con-
demned on Bail-
iff's Return.

XI. And in case any the said Bailiff or Bailiffs shall return a *Rescous* against any Person or Persons, he or they shall be admitted to traverse the said Return; which Traverse if it be found with him or them so traversing, then he or they shall be no further troubled or occasioned by reason of such Return.

Rescous.

C A P. XVI.

An Act for the Certainty of Forests, and of the Meers, Meets, Limits and Bounds of the Forests.

§ E. 3. Stat. 2.
c. 1.

‘ **W**HEREAS by Act of Parliament made in the First Year of the Reign of the late King *Edward* the Third, it was ordained, That the old Perambulation of the Forest in the Time of King *Edward* the First, should be thenceforth holden in like Form as it was then ridden and bounded, and in such Places where it was not bounded, the King would that it should be bounded by good Men and lawful :

‘ II. And whereas for many Ages past certain Meets, Meers, Limits and Bounds of the Forests, have been commonly known and observed in the several Counties wherein the said Forests lie :

‘ III. And whereas of late, divers Presentments have been made, and some Judgments given, whereby the Meets, Meers, Limits and Bounds of some of the said Forests have been variously extended, or pretended to extend, beyond some of the said Meets, Meers, Limits and Bounds so commonly known, and formerly observed, to the great Grievance and Vexation of many Persons having Lands adjoining to the said Meets, Meers, Limits and Bounds so commonly known, and formerly observed : And whereas of late time some Endeavours or Pretences have been to set on foot Forests in some Parts of this Realm and the Dominion of *Wales*, where in Truth none have been or ought to be, or at least have not been used of long time :’ For Remedy whereof, May it please Your most excellent Majesty that it be declared and enacted by Authority of Parliament ;

Meets and
Bounds of For-
ests.

IV. And be it declared and enacted by the King's most excellent Majesty, and the Lords and Commons, in this present Parliament assembled, and by the Authority of the same, That from henceforth the Meets, Meers, Limits and Bounds of all and every the Forests respectively, shall be to all Intents and Purposes taken, adjudged and deemed to extend no further respectively than the Meets, Meers, Limits and Bounds which in the several Counties respectively wherein the said Forests do lie, were commonly known, reputed, used or taken to be the Meets, Meers, Limits and Bounds of the said Forests respectively, in the Twentieth Year of the Reign of our late Sovereign Lord King *James*, and not beyond in any wise ; any Perambulation or Perambulations, Presentments, Extents, Surveys, Judgments, Records, Decrees or other Matter or Thing whatsoever to the contrary notwithstanding : And that all and every the Presentments since the said Twentieth Year made, and all and every other Presentment and Presentments, and all and every Judgement and Award upon, or by Reason or Pretext of, any such Presentment or Presentments, and all and every Perambulation and Perambulations, Surveys, Extents and other Act and Acts, at any time heretofore had or made, by which the Meets, Meers, Limits or Bounds of the said Forests, or any of them, are or are pretended to be further extended than as aforesaid : And also all and every Presentment of any Person or Persons at any Justice-Seat, Swainmote or Court of Attachments, for or by Reason or by Colour of any Act or Acts whatsoever done or committed in any Place without or beyond the said Meets, Meers, Limits or Bounds respectively, so commonly known, reputed,

Presentments
void.

used.

used or taken as aforesaid, and all and every Fine and Fines, and Amerciament and Amerciaments, upon, by reason or colour of any such Presentment or Presentments, shall from henceforth be adjudged, deemed and taken to be utterly void, and of no Force or Effect; any Law, Statute, Record or Pretence whatsoever, to the contrary notwithstanding.

V. And be it further enacted by the Authority aforesaid, That no Place or Places within this Realm of *England* or Dominion of *Wales*, where no such Justice-Seat, Swainmote or Court of Attachment have been held or kept, or where no Verderers have been chosen, or regard made, within the Space of Sixty Years next before the First Year of his Majesty's Reign that now is, shall be at any time hereafter judged, deemed or taken to be Forest, or within the Bounds or Meets of the Forests: But the same shall be from thenceforth for ever hereafter disafforested, and freed and exempted from the Forest Laws; any Justice-Seat, Swainmote or Court of Attachment held or kept within or for any such Place or Places, at any time or times since the Beginning of his Majesty's said Reign, or any Presentment, Enquiry, Act or Thing heretofore made or hereafter to be made or done to the contrary notwithstanding.

What Places, as
counted Forest.

VI. Provided also, and be it further enacted by the Authority aforesaid, That for the better putting into certainty all and every the Meets, Meers, Bounds and Limits of all and every the Forest, as aforesaid, the Lord Chancellor or Lord Keeper of the Great Seal of *England* for the time being, shall by virtue of this Act, upon request of any of the Peers of this Kingdom, or of the Knights and Burgesses of the Parliament, or any of them, grant several Commissions under the Great Seal of *England*, to Commissioners to be nominated respectively by the said Peers, Knights and Burgesses, or any of them, to enquire of and find out by Inquests of good and lawful Men upon Oath, and by the Oaths of Witnesses to be produced at the said Inquests, and by all other lawful Means, all and every the Meers, Meets, Bounds and Limits of the Forests respectively, which were commonly known to be their Meers, Meets, Bounds and Limits respectively, in the said Twentieth Year of the Reign of our late Sovereign Lord King *James*, and to return the Inquests so taken into the Court of Chancery; and that all and every the Sheriffs and Bailiffs, of and in every County wherein any such Inquests shall be so to be taken, and all and every the Verderers, Foresters, Rangers and other Officers of the Forests respectively where any such Officers be, shall be assistant and attendant to the Executions of the said Commissions, according as by virtue of the said Commissions respectively they shall be commanded; and where no such Officers are; or where such Officers be, if they or any of them shall refuse or neglect such Assistance and Attendance as aforesaid, then the said Commissioners shall and may proceed without them in the Execution of the said Commissions.

Meets, &c. as
certained.

VII. And be it further enacted by the Authority aforesaid, That the Forests, whereof the Meets, Meers, Limits and Bounds shall be so returned and certified by virtue of any the said Commissions as aforesaid, from thenceforth shall not extend nor be extended, nor be deemed, adjudged or taken to extend any further in any wise than the Meets, Meers, Limits and Bounds that shall

Extent of
Forests.

be so returned and certified: And that all the Places and Territories that shall be without the Meets, Meers, Limits and Bounds so returned and certified, shall be, and are hereby declared to be, from thenceforth free to all Intents and Purposes, as if the same had never been Forest, or so reputed; any A^ct or A^cts, Matter or Thing whatsoever to the contrary thereof notwithstanding.

Grounds disafforested excluded from Meets to be inquired of.

VIII. Provided, and be it further enacted by the Authority aforesaid, That all and every the Grounds, Territories or Places, which have been or are disafforested, or mentioned to be disafforested in or by any Letters Patents, Charters or otherwise, since the said Twentieth Year of the Reign of our said late Sovereign Lord King *James*, shall be excluded and left out of the Meets, Meers, Limits and Bounds of the Forests, which are to be enquired of, returned and certified by virtue of the said Commissions, or any of them respectively, and shall be and hereby are declared and enacted to be utterly disafforested, free and exempt to all Intents and Purposes, as if the same had never been at all Forest, or so reputed; any Thing in this present A^ct contained, or any other A^ct, Matter or Thing whatsoever to the contrary in any wise notwithstanding.

Proviso for Tenants, &c. of Lands excluded.

IX. Provided nevertheless, and be it enacted, That the Tenants, Owners and Occupiers and every of them, of Lands and Tenements which shall be excluded and left out of the Meets, Meers, Limits or Bounds of the Forests to be returned and certified by virtue of any the said Commissions, shall or may use and enjoy such Common, and other Profits and Easements, within the Forest, as antiently or accustomedly they have used and enjoyed; any Thing in this present A^ct contained, or any A^ct or Ordinance made in the Three and thirtieth Year of King *Edward* the First, or any Custom or Law of the Forest, or any other Matter or Thing to the contrary thereof notwithstanding.

33 E. 1. Stat. 3.

C A P. XVII.

An A^ct for the Pacification between *England* and *Scotland*.
EXP.

C A P. XVIII.

An A^ct for securing by publick Faith the Remainder of the friendly Assistance and Relief promised to our Brethren of *Scotland*. EXP.

C A P. XIX.

An A^ct for the better Ordering and Regulating of the Office of Clerk of the Market, allowed and confirmed by this Statute; and for the Reformation of false Weights and Measures.

FORASMUCH as the undue Execution of the Office of Clerk of the Market hath been very grievous unto divers of His Majesty's most loving Subjects, who have been much troubled by unnecessary Summons, and charged with Exactions of divers Sums of Money, by colour of the said Office; and in regard the said Evils have partly arisen by Means of an Inequality

‘ quality of Weights and Measures throughout this Kingdom, and
 ‘ by granting and letting to Farm the said Office of Clerk of the
 ‘ Market and the Execution thereof, in and through all or the
 ‘ most of the several Counties of this Kingdom, for great Sums
 ‘ of Money, which the said Farmers or Grantees, by their unjust
 ‘ and undue Proceedings in the said Office, do extort from His
 ‘ Majesty’s Subjects again, to their great Impoverishment, and yet
 ‘ little or no Redress at all in their said Weights and Measures,
 ‘ or any Benefit thereby accruing to His Majesty :’ For Remedy
 whereof, and for regulating of all Weights and Measures according
 to the true Intent of this Statute, and the other Statutes in that
 Behalf formerly made and provided, and preventing the said Incon-
 veniencies :

II. Be it therefore enacted by the King’s most excellent Ma-
 jesty, the Lords and Commons of this present Parliament assembled,
 and by the Authority of the same, That from henceforth there
 shall be but One Weight, One Measure and One Yard, according
 to the Standard of the Exchequer, throughout all the Realm, as
 well in Places privileged as without ; any Usage or Custom to the
 contrary notwithstanding : And that every Measure of Corn shall
 be striked without Heap : And whosoever shall sell by, or keep
 any other Weight, Measure or Yard, than as aforesaid, whereby
 any Corn, Grain or other Thing is bought or sold after Six Months
 after the End of this present Session of Parliament, shall forfeit for
 every such Offence Five Shillings ; being thereof lawfully con-
 victed by the Oath of one sufficient Witness, before any Justice of
 Peace, Mayor or other Head Officer of the County, City or Town
 Corporate respectively where the said Offence shall be committed,
 who by virtue of this Act shall have Power to administer an Oath
 in that Behalf : Which said Sum or Penalty of Five Shillings shall
 be levied by the Church-Wardens and Overseers of the Poor of the
 Parish, or some or one of them, where such Offence is or shall be
 committed, to the Use of the Poor of the same Parish, of the
 Goods and Chattels of such Offenders, by Way of Distress and
 Sale of the Offender’s Goods, rendring the Overplus to the Party
 so offending ; And in Default of such Distress, it shall be lawful
 for any Justices of Peace, Mayor or other Head Officer of the
 County, City or Town Corporate respectively, to commit the said
 Party to the Prison or Gaol, there to remain without Bail or
 Mainprize until he shall pay such Sums of Money forfeited as
 aforesaid.

One Measure
Weight and
Yard-

Penalty.

How to be levied.

Imprisonment.

III. And be it further enacted by the Authority aforesaid,
 That no Clerk of the Market of the King’s House, which now
 is or hereafter shall be, or of the Prince His Highness, his Heirs or
 Successors, which is or shall be Duke of Cornwall, or his or their
 Deputy or Deputies, shall hereafter execute his or their said Office
 or Offices respectively in any Part of the Kingdom, but only within
 the Verge of the King’s Court where it shall then reside for the
 time being : And that it shall be always hereafter lawful for any
 Mayor or other Head Officer of any City, Borough or Town
 Corporate, or for any Lord or Lords of Liberty, Liberties or
 Franchises, his or their Deputy or Deputies or Agents, according
 to their several Liberties and Jurisdictions, to have full Power to
 execute the said Offices respectively, as they ought or might have
 done before the making of this Act,

Clerk of Market
of the King’s
House.

Mayor, &c. to
have Power as
Clerks of Mar-
ket.

IV. And

Clerk of Market
Selling.

IV. And for the more Ease of His Majesty's Subjects; Be it further enacted, That if any Clerk of the Market within his aforesaid Precincts and Limits of the Verge of the King's House; only, or any Mayor or other Officer whatsoever, who by virtue of this Act shall have Power to inquire of any Abuses in Weights and Measures, shall seal or give Allowance unto any other Weight or Measure, Weights or Measures, other than according to the said Standard of the Exchequer, or shall, upon reasonable request and warning, refuse to seal or give Allowance unto such Weight or Measure, Weights or Measures, as are according to the said Standard of the Exchequer, paying only such Fee or Fees for such Allowance, as by the Statute or Statutes, or by antient Custom, are in that Behalf formerly provided and allowed, and no more, that then the said Clerk of the Market, Mayor and other Officer or Officers of such City, Borough or Town, and the said Lord and Lords of Liberty or Liberties, and his and their Deputy and Deputies and Agents respectively, shall forfeit for every such Offence Five Pounds, to be levied as aforesaid to the Use of the Poor of the Parish where such Offence is or shall be committed.

Penalty.

Taking unlawful
Fees, &c.

V. And be it further enacted by the Authority aforesaid, That if the Clerk of the Market, his Deputy or Deputies, or Agents within the Verge aforesaid, or any Mayor, or any other Officer or Officers of any City or Town, or any Lord or Lords of Liberties, his or their Deputy or Deputies, Agents or Assigns respectively, shall take or receive of any of His Majesty's Subjects, by colour of the said Office, any common Fine or Fines, or any Fees, other than are formerly allowed by the Statute or Statutes, or ancient Custom in that Behalf made or used; shall take any Fee or Fees, or other Sum of Money, Reward or Consideration, for the Making, Signing or Examination of any Weights or Measures which have been formerly marked or sealed; or shall impose or assess, or cause to be imposed or assessed, any Fine or Amerciament, Fines or Amerciaments, without a due and legal Trial of the Offences for which the said Fine or Fines, Amerciament or Amerciaments, are imposed or assessed: or shall otherwise misdemean himself in the Execution of his said Office, and be thereof lawfully convicted; he shall forfeit for the First Offence whereof he shall be so lawfully convicted, Five Pounds: And for the Second Offence, Ten Pounds; And for the Third Offence, and every other Offence afterwards, Twenty Pounds; to be levied as aforesaid to the Use of the Poor of the Parish where such Offence shall be committed.

First Offence.

Third Offence.

VI. And be it enacted, That whosoever shall be fined or amerced by virtue of this Act shall not be again fined or amerced for the same Offence, by virtue of any former Law or Statute.

Proviso for
Rents.

VII. Provided always, That this Act or Statute shall not extend to the Rents of Farms or Lands, or any Corn or Grain due or payable to any Lord or Lords, or any Colleges, Houses or other Societies, by virtue of any Lease or Leases, or other Covenant or Agreement, but that the same, during the Continuation of such Lease, Leases or other Agreements, shall be paid, delivered and performed, in such Measure and Form as the same hath been paid, delivered and performed before the making of this Act: And that such Measure, that is commonly called Water-Measure, in any Ports, Maritime Towns or other Places, shall be still used and continued

Water-measures
continued.

tinued as formerly the same hath been; any Thing in this Statute contained to the contrary hereof in any wise notwithstanding.

[*Repealed as to Water Measures of Corn and Salt, 22 Car. 2. c. 8. § 2.*]

VIII. Provided also, That no Justice or Justices of the Peace, Mayor, Bailiff or other Head Officer, Churchwardens, Overseers, or any other authorized by this Statute for the due Execution thereof in any Point, shall be sued, impleaded or otherwise impeached for doing or executing their said Offices respectively: And if any Suit or Suits hereafter shall be commenced against them or any of them, their Agents or Assistants, touching the Premises, that then it shall and may be lawful for them and every of them so sued or troubled in any Court or Courts whatsoever, to plead the General Issue, Not Guilty, and to give this Statute in Evidence, or any other special Matter in Evidence.

General Issue.

IX. And in case by or upon this Law they or any of them shall be found Not Guilty, or the Plaintiff be nonsuited, the Defendant or Defendants shall recover treble Costs against the Plaintiff for his unjust Vexation.

Treble Costs.

C A P. XX.

An Act for the Prevention of vexatious Proceedings touching the Order of Knighthood.

WHEREAS upon the Pretext of an ancient Custom or Usage of this Realm of *England*, That Men of full Age, being not Knights, and being seised of Lands or Rents of the yearly Value of Forty Pounds, or more (especially if their Seisin had so continued by the Space of Three Years next past) might be compelled by the King's Writ, to receive or take upon them the Order or Dignity of Knighthood, or else to make Fine for the Discharge or Respite of the same; several Writs about the Beginning of His Majesty's Reign issued out of the Court of Chancery, for Proclamations to be made in every County to that Purpose, and for certifying the Names of all such Persons, and for summoning them personally to appear in the King's Presence before a certain Day, to be there ready to receive the said Order or Dignity: Upon Return of which Writs, and transmitting the same with their Returns into the Court of Exchequer, and upon other Writs for further Inquiry of the Names of such Persons, issuing out of the said Court of Exchequer, Process by *Distingas* was thence made against a very great Number of Persons, many of which were altogether unfit, in regard either of Estate or Quality, to receive the said Order or Dignity, and very many were put to grievous Fines and other Vexations for the same, although in Truth it were not sufficiently known how or in what Sort, or where they or any of them should or might have addressed themselves for the receiving the said Order or Dignity, and for saving themselves thereby from the said Fines, Process and Vexations: And whereas it is most apparent, that all and every such Proceeding in regard of the Matter therein pretended, is altogether useless and unreasonable; May it therefore please Your most excellent Majesty, that it be by Authority of Parliament declared and enacted;

Writs issued for Order of Knighthood.

Distingas.

Fines.

II. And be it declared and enacted by the King's most excellent Majesty, and the Lords and Commons, in this Parliament assembled, and

No Person compelled to take Order of Knighthood.

Writ to the contrary void.

and by the Authority of the same, That from henceforth no Person or Persons, of what Condition, Quality, Estate or Degree soever, shall at any Time be distrained, or otherways compelled by any Writ or Process of the Court of Chancery or Court of Exchequer, or otherwise by any Means whatsoever, to receive or take upon him or them respectively, the Order or Dignity of Knighthood; nor shall suffer or undergo any Fine, Trouble or Molestation whatsoever, by Reason or Colour of his or their having not received or not taken upon him or them the said Order or Dignity: And that all and every Writ or Process whatsoever, and all and every Proceeding which shall hereafter be had or made contrary to the Intent of this Act, shall be deemed and adjudged to be utterly void: And that all and every Process, Proceeding and Charge now depending by Reason or Colour of the said pretended Custom or Writs aforesaid, or of any the Dependants thereof, shall from henceforth cease and stand, be and remain discharged and utterly void; any former Law or Custom, or any Pretence of any former Law or Custom, or any other Matter whatsoever, to the contrary in any wise notwithstanding.

C A P. XXI.

An Act for the free bringing in of Gunpowder and Saltpetre from foreign Parts, and for the free making of Gunpowder in this Realm.

‘ **W**HEREAS the Importation of Gun-powder from Foreign Parts hath of late Times been against Law prohibited, and the Making thereof within this Realm ingrossed, whereby the Price of Gun-powder hath been excessively raised, many Powder-works decayed, this Kingdom very much weakened and endangered, the Merchants thereof much damaged, many Mariners and others taken Prisoners, and brought into miserable Captivity and Slavery, many Ships taken by *Turkish* and other Pirates, and many other Inconveniences have from thence ensued, and more are likely to ensue, if they be not timely prevented:’

Liberty to import Gun-powder.

II. Be it therefore declared and enacted by the King's most excellent Majesty, and the Lords and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for all and singular Persons, as well Strangers as natural born Subjects of this Realm, to import and bring into this Kingdom any Quantities of Gunpowder whatsoever, paying such Customs and Duties for the same as by Authority of Parliament shall be limited and set down.

Making, &c. Gun-powder

Importing Saltpetre, &c.

III. And be it further declared and enacted by the Authority aforesaid, That it shall and may be lawful to and for all and singular His Majesty's Subjects of this his Realm of *England*, to make and sell any Quantities of Gun-powder at his and their Will and Pleasure; and also to bring into this Kingdom any Quantities of Saltpetre, Brimstone or any other Materials necessary or requisite for the Making of Gunpowder.

Putting in Execution Letters Patents, &c.

IV. And lastly, Be it enacted by the Authority aforesaid, That if any Person or Persons from and after the Tenth Day of *August*, which shall be in the Year of our Lord God One thousand six hundred forty and one, shall put in Execution any Letters Patents, Proclamation, Edict, Act, Order, Warrant, Restraint or other Inhibition

hibition whatsoever, whereby the Importation of Gun-powder, Salt-petre, Brimstone or other the Materials afore mentioned or any of them from Foreign Parts, or the Making of Gun-powder within this Realm, shall be any way prohibited or restrained: That then the said Person and Persons so offending shall incur and sustain the Pains, Penalties and Forfeitures contained and provided in the Statute of Provision and *Premunire* made in the Sixteenth Year of the Reign of King *Richard* the Second.

C A P. XXII.

A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money, payable upon Merchandize exported and imported. EXP.

C A P. XXIII.

An Act for the better raising and levying of Mariners, Sailors and others, for the present guarding of the Seas, and necessary Defence of the Realm and other His Majesty's Dominions. EXP.

C A P. XXIV.

An Act to relieve Captives taken by *Turkish*, *Moorish* and other Pirates, and to prevent the taking of others in time to come. EXP.

WHEREAS many Thousands of Your Majesty's good and loving Subjects, with their Ships and Goods, have of late time been surpris'd and taken at Sea (as they were in their lawful trading) by *Turkish*, *Moorish* and other Pirates: And some of them, to free themselves of the cruel and barbarous Usage of those Pirates, have renounced the Christian Religion, and turned *Turks*: And others yet kept in bondage, are used with so extreme cruelty, as they are in great danger thereby to lose their Lives, unless they shall also forsake the Christian Religion: And divers of those Your Subjects kept in bondage (being expert and skilful Mariners) are usually employed at Sea against others your good Subjects, and prove very prejudicial to them, and hurtful to the Trade and Merchandize of Your Majesty's Dominions: And whereas, as well Your Majesty's Subjects, as Strangers exporting or importing their Goods and Merchandize into this Kingdom, have ever since Your Majesty's access unto this Crown, been charged with the Payment of great Sums of Money, under the Name of Custom, and that without Consent of Parliament, which, had they been legally taken, ought to have been chiefly employed to the Safe-guard of the Seas, and Preservation of Your good Subjects in their Trade of Merchandize from the Spoil of Pirates, and other Sea-robbers, but have been exhausted by evil Ministers, and not applied to their proper Uses, so that Your Highness's good Subjects have been exposed to the merciless Cruelty of those Pirates, and barbarous Infidels:

'II. And the Commons taking into further Consideration Your Majesty's pressing Wants, and great Occasions of Monies in these times of Distemper, as well in the Kingdom of *Ireland*, as other

One per Cent. on
Goods custom-
able for Three
Years.

By whom to be
received, and
how to be em-
ployed.

Forfeiture for
Non-payment.

other Kingdoms of foreign Princes, so that there will be required some further Aid, to enable Your Highness to effect so great a Work, besides the present Tonnage and Poundage now granted to Your Majesty; have therefore for this present pressing Occasion, and for a time hereafter limited, taken into their Resolutions a further way of raising a Supply of Monies, for the providing and setting forth to the Seas a Navy, as well for the Enlargement and Deliverance of those poor Captives in *Argier*, and other Places, if Almighty God shall so please to give that Blessing unto their Enterprises, as also for the preventing of the like future Dangers unto your good People, their Persons, Ships and Merchandizes: Do therefore pray Your most Excellent Majesty that it may be enacted; and be it enacted, by Authority of this present Parliament, That where any Subsidy, Custom or other Duty, after the Twenty ninth Day of *September*, in the Year One thousand six hundred forty one, and before the Four and twentieth Day of *June* then next following, shall be laid or imposed by Authority of Parliament, upon any Goods, Wares or other Merchandize, of what Nature, Kind or Quality soever, to be exported out of, or imported into this Your Majesty's Realm of *England* or Dominion of *Wales*, That One other Sum of One in the Hundred, according to the Rates to be established by Parliament, within the time aforesaid, over and above the said Custom, Subsidy or Duty, so to be laid or imposed, shall be raised; levied and paid, from and after the Tenth Day of *December*, in the Year One thousand six hundred forty one aforesaid, of and from all and every such Goods, Wares and other Merchandize, to be imported into, or exported out of this Your Majesty's said Realm of *England* or Dominion of *Wales*, the said Sum of One in the Hundred to be raised, levied and paid for the Space of Three Years next after the said Tenth Day of *December*, and no longer; and received and taken by the Lord Mayor and Chamberlain of *London* for the time being, their Deputies or Deputy, and by them the said Lord Mayor and Chamberlain of *London* for the time being, to be laid out, paid and employed for providing and setting out to Sea and maintaining of One or more Fleet or Fleets of good and serviceable Ships, and other Necessaries to be used and employed for the Purposes aforesaid, in such Sort as by Order of a Committee of the House of Lords, and a Committee of the House of Commons in Parliament of this Your Majesty's Realm of *England*, shall be directed; and such Lord Mayor and Chamberlain of *London* who shall receive or disburse any the Monies aforesaid, shall be accountable and account for all and every their Receipts and Disbursements afores mentioned, to the said Committee, or to such Person or Persons as the said Committee shall order and appoint.

III. And be it also enacted by the Authority aforesaid, That if any Goods, Wares or other Merchandize, whereof the Sum of One in the Hundred aforesaid is or shall be due and payable by virtue of this Act, shall at any time hereafter be shipped or put into any Boat or other Vessel, to the Intent to be carried into the Parts beyond the Seas, or else be brought from the Parts beyond the Seas, into any Part of this your Realm of *England* or Dominion of *Wales*, by way of Merchandize, and unshipped to be laid on Land, the Sum of One in the Hundred as aforesaid, due or to be

due for the same, not paid or lawfully tendered and secured to be paid to the Mayor and Chamberlain of *London* for the time being, or their Deputy or Deputies, for the Uses aforesaid; all the same Goods, Wares and other Merchandize whatsoever, shall be forfeited and lost; the One Moiety of the Rate or Value thereof, to be to him or them that will seize or sue for the same; and the other Moiety to be employed to and for the Uses before expressed.

IV. And for the better Encouragement of Mariners to undertake the said Service, and Owners of Ships to let out their Ships for the said Employment, Be it further enacted by the Authority aforesaid, That if any Ships, Goods or Merchandize of the said Pirates, or of the Subjects of any that are or shall be in enmity with Your Majesty, Your Heirs or Successors; or the Person of any such Pirates shall be taken by the Ships, to be employed in the Service before mentioned, that one Fourth Part thereof shall be to the Mariners that shall take the same, and one other Fourth Part to the Owners of the said Ships, over and above their Hire and Wages; and the other Two Fourth Parts, to and for such Uses, as the said Committees shall order and appoint, and the Overplus of the Money to be raised by virtue of this Act, and not employed to and for the Service afore mentioned (if any shall be) shall also be employed according to the Order of the same Committees. How applied.

V. And be it further declared and enacted by the Authority aforesaid, That this present Act for the raising of Monies for the setting forth of Ships for the suppressing of Pirates, and safety of Merchants, shall not hereafter be drawn into example, but that Your Majesty would in time to come, be pleased to intrust such Ministers, as may faithfully employ the Monies raised by Tonnage and Poundage unto the right and proper Uses, for the guarding of the Seas, and safety of Merchants, which will advance the Honour of Your Sacred Majesty abroad, and procure the Safety, Peace and Happiness of Your Highness loyal and faithful Subjects at home. Not to be drawn into Example.

C A P. XXV.

A Subsidy granted to the King of Tonnage, Poundage and other Sums of Money payable upon Merchandize exported and imported. EXP.

C A P. XXVI.

An Act for the better raising and levying of Mariners, Sailors and others, for the present guarding the Seas, and necessary Defence of the Realm and other His Majesty's Kingdoms. EXP.

C A P. XXVII.

An Act for disenabling all Persons in Holy Orders to exercise any Temporal Jurisdiction or Authority.

‘ WHEREAS Bishops and other Persons in Holy Orders ought not to be entangled with secular Jurisdiction (the Office of the Ministry being of such great Importance, that it will take up the whole Man): And for that it is found by long Experience, that their intermeddling with secular Jurisdictions hath

‘ hath occasioned great Mischiefs and Scandal, both to Church
 ‘ and State;’ His Majesty, out of His religious Care of the
 Church and Souls of His People, is graciously pleased that it
 be enacted; and by Authority of this present Parliament be it
 enacted, That no Archbishop or Bishop, or other Person that now
 is, or hereafter shall be in Holy Orders, shall at any time after the
 Fifteenth Day of *February*, in the Year of our Lord One thou-
 sand six hundred forty one, have any Seat or Place, Suffrage or
 Voice, or use or execute any Power or Authority in the Parlia-
 ments of this Realm, nor shall be of the Privy Council of His
 Majesty, His Heirs or Successors, or Justice of the Peace of *Oyer*
 and *Terminer*, or Gaol-delivery, or execute any Temporal Autho-
 rity by virtue of any Commission; but shall be wholly disabled,
 and be incapable to have, receive, use or execute any of the said
 Offices, Places, Powers, Authorities and Things aforesaid.

II. And be it further enacted by the Authority aforesaid, That
 all Acts, from and after the said Fifteenth Day of *February*, which
 shall be done or executed by any Archbishop or Bishop, or other
 Person whatsoever in Holy Orders, and all and every Suffrage or
 Voice given or delivered by them or any of them, or other Thing
 done by them or any of them, contrary to the Purport and true
 Meaning of this present Act, shall be utterly void to all Intents,
 Construtions and Purposes.

[*Repealed, 13 Car. 2. Stat. 1. c. 2.*]

[*Here the Roll is indorsed, Third Part 16 Car. 1. and goes to Cap. 37.
 inclusive.*]

C A P. XXVIII.

An Act for the raising of Soldiers for the Defence of *Eng-
 land* and *Ireland*. EXP.

C A P. XXIX.

A Subsidy granted to the King of Tonnage and Poundage,
 and other Sums of Money payable upon Merchandize
 exported and imported. EXP.

C A P. XXX.

An Act for a speedy Contribution and Loan towards the
 Relief of His Majesty's distressed Subjects of the King-
 dom of *Ireland*. EXP.

C A P. XXXI.

A Subsidy granted to the King of Tonnage and Poundage,
 and other Sums of Money payable upon Merchandize
 exported and imported. EXP.

C A P. XXXII.

An Act for the raising and levying of Monies for the ne-
 cessary Defence, and great Affairs of the Kingdoms of
England and *Ireland*; and for the Payment of Debts
 undertaken by the Parliament. EXP.

G A P.

C A P. XXXIII.

An Act for the speedy and effectual reducing of the Rebels in His Majesty's Kingdom of *Ireland* to their due Obedience to His Majesty and the Crown of *England*.
EXP.

C A P. XXXIV.

An Act adding unto and explaining of certain Clauses in another Act made this Parliament, intituled, *An Act for the speedy and effectual reducing of the Rebels in His Majesty's Kingdom of Ireland to their due Obedience to His Majesty and the Crown of England.* 16 Car. 1. c. 33.

C A P. XXXV.

An Act to enable Corporations and Bodies Politick to participate of the Benefit of an Act lately passed, intituled, *An Act for the speedy and effectual reducing of the Rebels in His Majesty's Kingdom of Ireland to their due Obedience to His Majesty and the Crown of England.* EXP. 16 Car. 1. c. 35.

‘ **W**HEREAS divers of His Majesty's well affected Subjects of this Kingdom have taken Notice of the said Act, and are willing to contribute to so good a Work, according to their several Estates and Abilities, but every Person in himself is not able to undertake any great Sum of Money, yet many of them united and incorporated into one Body, Company or Society may by joining together make up a considerable entire Sum, which may very much advance so honourable and pious a Work, as the reducing of that Kingdom of *Ireland*.’

II. And also for the better enabling of all Corporations and Bodies Politick throughout this Kingdom to be Adventurers and Undertakers in the same; Be it enacted by the King our Sovereign Lord, and by the Lords and Commons, in this Parliament assembled, and the Authority of the same, That all and every Cities, Boroughs and other Towns Corporate, which have perpetual Commonalty and Succession, being within Sixty Miles of *London*, and all and every Companies, Guilds and Fraternities, of any Craft, Mystery or Trade, united and incorporated within the said City of *London*, or within any other City within Threescore Miles Distance thereof, which at any time before the Twentieth Day of *May*, in the Year of our Lord God One thousand six hundred forty two, by their Citizens or Burgeses, or by any one of them respectively, for that Place which he serveth in this present Parliament, or by their Mayor, Bailiff, Master, Warden or other Head Officer of any the said Cities, Boroughs, Towns Corporate, Companies, Guilds or Fraternities aforesaid, shall underwrite any such Sum of Money, as in the said Act is mentioned, and pay the Fourth Part thereof on or before the said Twentieth Day of *May* aforesaid, and the other Three Parts of the Sum or Sums so to be subscribed within Three Months, Three Months and Three Months, by equal Portions, accounting Eight and twenty Days to every Month, to be accounted to begin from the said Twentieth Day of *May* aforesaid; and all the said Sums to be paid at the Chamber

of the City of *London*, to the Four Persons appointed to attend there by the said Act, or to any Two of them, who are hereby authorized and required to give Receipts for the same, and to enter the said Sum, and the Times of such Subscription, as aforesaid; and all and every Cities, Boroughs and other Towns Corporate within the Kingdom of *England*, which have perpetual Commonalty and Succession, being Threescore Miles or more from the said City of *London*: And all Companies, Guilds and Fraternities of any Craft, Mystery or Trade, united and incorporated within any of the said Cities, which at any time before the last Day of *May*, in the Year of our Lord God One thousand six hundred forty two, shall, by their Citizens or Burgeses, or by any one of them respectively, for that Place which he serveth in this present Parliament, or by their Mayor, Bailiff, Master, Warden or other Head Officer of any of the said Cities, Boroughs, Towns Corporate, Companies, Guilds or Fraternities aforesaid, underwrite any such Sum of Money as in the said Act is mentioned, and pay the Fourth Part thereof on or before the said last Day of *May* aforesaid, and the other Three Parts of the said Sum or Sums so to be subscribed, within Three Months, Three Months and Three Months, by equal Portions, accounting Eight and twenty Days to every Month, to be accounted to begin from the said last Day of *May* aforesaid; and at such Place, and to such Persons, as in and by the said Act is appointed, shall have a proportionable Share of the said Rebels' Lands, and of other Lands forfeited and to be forfeited by the said Act, according to the Sums to be by them underwritten and paid in as aforesaid, under all other the Conditions and Limitations in the said Act, or Propositions mentioned, to all Intents and Purposes, and in as large and beneficial Manner, as if such underwriting had been at the Days in the said recited Act, or the Propositions therein expressed; any Thing therein contained, or any Thing in the Statute made the Fifteenth Year of King *Richard the Second*, intituled, *Affurance of Lands to certain Places, Persons and Uses*, shall be adjudged Mortmain, or any Thing in any other Statute of *Mortmain* whatsoever, contained to the contrary notwithstanding.

15 R. 2. c. 5.

C A P. XXXVI.

A Subsidy granted to the King of Tonnage, Poundage and other Sums of Money payable upon Merchandize exported and imported. EXP.

C A P. XXXVII.

An Act for the Advancement of an effectual and speedy Reduction of the Rebels in *Ireland* to the Obedience of His Majesty and the Crown of *England*. EXP.

[See an Act for the Settlement of *Ireland*, passed in that Kingdom, Anno 14 Car. 2. One thousand six hundred sixty two, by which cc. 33, 34, 35 and 37. are, besides their Expiration, of no force.]

End of the Statutes of King CHARLES I.

END OF THE FOURTH VOLUME.

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